

LETTER OF TRANSMITTAL



DATE: 3/2/2020

TO: Keshia Owens
City of Newberg, Planning

RE: South Park Lot 13 Partition - Final Submittal

WE ARE SENDING YOU:

- Attached Mailed Hand Delivered Fax

COPIES	DATE	DESCRIPTION
24	1/9/19	Narrative & Supporting Exhibits
3	2/5/20	Full-Size Preliminary Engineering
1	3/2/20	Digital Copy of Submittal Materials
1	2/28/20	Completeness Letter (for reference)

THESE ARE TRANSMITTED as checked below:

- For Approval Approved as Submitted Resubmit Copies for Approval
 For Your Use Approved as Noted Record
 As Requested Returned for Correction Other

REMARKS:

Please feel free to call me if you have any questions.

Thank you.

MacKenzie Davis
503-550-1932
mackenzie@dbvcorp.com

SIGNED:



523 S. Wynooski St. (South Park Lot 13)

2-Parcel Partition Application

523 S. Wynooski St. Newberg, OR 97132

January 9, 2020

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EXHIBITS

- A** Land Use Application Form
- B** Tax Map
- C** Deed (Proof of Ownership)
- D** Record of Survey (Filed following Property Line Adjustment – ADJP19-0006)
- E** Preliminary Engineering
- F** Stormwater Memo
- G** Draft Public Notice
- H** Property Owner Information (500’ Radius)

SUBJECT PROPERTY & PROJECT SUMMARY

Property Ownership	
Property Owner	South Park LLC PO Box 3189 Newberg, OR 97132
Applicant	Del Boca Vista LLC PO Box 3189 Newberg, OR 97132
Tax Assessment Details	
Tax Map & Tax Lot	R3220BD/04100
Address	523 S. Wynooski St. Newberg, OR 97132
Subject Property Size	6,176 SF
Political Boundaries	
City	Newberg
County	Yamhill
Planning Designations	
Zoning Designation	R-2 – Medium Density Residential
Comprehensive Plan Designation	MDR – Medium Density Residential
Environmental Findings	
Stream Corridor	No
Flood Plain (FEMA 100 yr.)	No
Service Providers	
Fire Protection	Tualatin Valley Fire & Rescue
School District	Newberg School District
Sewer	City of Newberg
Water	City of Newberg
Stormwater	City of Newberg
Sanitary Hauler	Waste Management
Park & Recreation District	Chehalem Park and Recreation District
Proposal	
Proposal	2-Parcel Partition of 1 existing legal lot.
Future Development	Each parcel to site single-family detached dwelling in future.

PROJECT DESCRIPTION

INTRODUCTION

The Applicant, Del Boca Vista LLC, proposes a 2-Parcel Partition of a 6,176 SF existing legal lot within the City of Newberg. The subject property is located at 523 S. Wynooski St. Newberg, OR 97132 (R3220BD/04100), to the west of S. Wynooski St., south of E. 5th St., and north of E. 7th St.

The subject property is located within the R-2 Zoning District, and is surrounded by existing low and medium density residential development in the R-2 Zoning District. Following approval of the proposed partition, new single-family detached dwellings will be built on each respective parcel.

As per *Section 15.100.030* of the City of Newberg *Community Development Code*, the proposed Partition shall be reviewed via Type II review procedure. This written narrative, together with other documentation included in the application materials, establishes that the application is in compliance with all applicable approval criteria. This documentation represents substantial evidence and provides the basis for approval.

EXISTING CONDITIONS

The subject property is fairly flat, sloping generally from west to east at less than 2%. There are no significant natural resources identified on the subject property.



Figure 1: Subject Property Aerial



Figure 2: City of Newberg Zoning Map

ADJACENT PARCELS

As depicted by *Figure 1: Subject Property Aerial* and *Figure 2: City of Newberg Zoning Map*, the subject property is surrounded by existing low and medium density residential development located in the R-1 Zoning District. Regarding *Figure 1: Subject Property Aerial*, it is of note that lots adjacent to the southwest, west and north of the subject property have now been developed with single-family detached dwellings. Unfortunately, an up-to-date aerial photo of the subject property is not available at this time.

TRANSPORTATION AND ACCESS

The subject property has frontage on S. Wyooski St. along its eastern boundary. As per the City's *Transportation System Plan*, S. Wyooski St. has a functional classification of Major Collector. As per *Table 15.505.030.(G) Street Design Standards* of the City's *Community Development Code*, Major Collectors shall have a minimum ROW of width of 57-ft. S. Wyooski St. currently includes 50-ft of ROW (including 30-ft from the S. Wyooski St. centerline to the subject property's frontage on S. Wyooski St.). As such, when the adjacent property to the east of S. Wyooski St. develops an additional 10-ft will be dedicated by said property owner to match the subject property's existing ROW dedication. Accordingly, right-of-way dedications are not warranted or proposed by this Application.

PUBLIC UTILITIES, SERVICES AND AMENITIES

As depicted by the Preliminary Engineering provided as Exhibit E, the subject property has existing water services from S. Wyooski St., and existing sanitary services located within a private easement along the subject property's western boundary. Existing utility services are adequate to serve the proposed partition. As such, this Application does not propose the removal or relocation of said utilities.

Furthermore, following approval of this Land Use Action, adequate franchise utilities, including electricity, gas, and communication services, will be provided to serve the future development on the subject property.

FIRE

The subject property is served by Tualatin Valley Fire & Rescue. Tualatin Valley Fire Station No. 20 is located at 414 E. 2nd St. Newberg, OR 97132 approximately 0.7-miles to the northwest of the subject property.

POLICE

The Newberg Police Department at 401 E. 3rd St, Newberg, OR 97132 is located approximately 0.6-miles to the northwest of the subject property.

SCHOOL

The subject property is currently located within the attendance boundaries of Edwards Elementary School, Mountain View Middle School, and the Newberg High School. Edwards Elementary School at 715 E. 8th St. Newberg, OR 97132 is located 0.6-miles from the subject property. Mountainview Middle School at 2015 N Emery Dr. Newberg, OR 97132 is located 2.1-miles from the subject property. Newberg High School at 2400 Douglas Ave, Newberg, OR 97132 is located 2.1-miles from the subject property.

TRANSIT

The Yamhill County Transit Area (YCTA) Newberg Route 5 has a stop at E. 6th St. and S. Blaine St. 0.7-miles walking distance west of the subject property.

PARKS

The Herbert Hoover Park at 114 S. River St. Newberg, OR 97132 is located 0.3-miles walking distance to the northwest of the subject property. Herbert Hoover Park includes amenities such as walking paths, benches, picnic tables, play equipment, public restrooms, and a disc golf course.

The Scott Leavitt Park at 1310 E. 10th St. Newberg, OR 97132 is located 0.4-miles walking distance to the southwest of the subject property. The Scott Leavitt Park includes amenities such as play equipment, picnic tables, and a basketball court.

LAND USE APPLICATION REQUEST – 2 PARCEL PARTITION

This Land Use Application requests a 2-Parcel Partition of the 6,176 SF subject property identified as Tax Lot 04100 of Tax Map R3220BD.

As per *Section 15.100.030* of the City of Newberg *Community Development Code*, the proposed Partition shall be reviewed via Type II review procedure.

Prior to approval of this Application, the Applicant will give notice to all applicable parties pursuant to all applicable provisions of *Section 15.100.210 Mailed Notice*, and *Section 15.100.220 Additional Notice Procedures for Type II Development Applications*. A draft public notice is provided as Exhibit G, and neighboring property owners' contact information (within 500-feet of subject property) is provided as Exhibit H.

COMPLIANCE WITH THE CITY OF NEWBERG MUNICIPAL CODE

After reviewing the City of Newberg *Municipal Code* and *Comprehensive Plan*, this Application found provisions of the following Sections to be applicable to the proposed development.

CHAPTER 15.100 LAND USE PROCESSES AND PROCEDURES

- 15.100.030 Type II procedure
- 15.100.090 Development permit application.
- 15.100.200 Compliance required.
- 15.100.210 Mailed notice.
- 15.100.220 Additional notice procedures for Type II development applications.
- 15.100.260 Procedure for posted notice for Type II and III procedures.

CHAPTER 15.235 LAND DIVISIONS

- 15.235.020 General Requirements
- 15.235.030 Preliminary plat approval process.
- 15.235.040 Preliminary plat submission requirements.
- 15.235.050 Preliminary plat approval criteria.

CHAPTER 15.210 CODE ADJUSTMENTS

- 15.210.020 Type I Adjustments and Approval Criteria

CHAPTER 15.305 ZONING USE TABLE

- 15.305.020 Zoning Use Table – Use Districts

CHAPTER 15.405 LOT REQUIREMENTS

- 15.405.010 Lot area – Lot areas per dwelling unit.
- 15.405.030 Lot dimensions and frontage.
- 15.405.040 Lot coverage and parking coverage requirements.

CHAPTER 15.410 YARD SETBACK REQUIREMENTS

- 15.410.020 Front yard setback.
- 15.410.030 Interior yard setback.
- 15.410.070 Yard exceptions and permitted intrusions into required yard setbacks.

CHAPTER 15.415 BUILDING AND SITE DESIGN STANDARDS

- 15.415.020 Building height limitation.
- 15.415.040 Public access required.

CHAPTER 15.430 UNDERGROUND UTILITY INSTALLATION

- 15.430.010 Underground utility installation.

CHAPTER 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS

- 15.440.010 Required off-street parking.
- 15.440.030 Parking Spaces Required

CHAPTER 15.505 PUBLIC IMPROVEMENTS STANDARDS

- 15.505.030 Street Standards

CITY OF NEWBERG MUNICIPAL CODE

Title 15 Development Code

CHAPTER 15.100 LAND USE PROCESSES AND PROCEDURES

15.100.030 Type II procedure

- A. *Type II development actions shall be decided by the director.*
- B. *Type II actions include, but are not limited to:*
 - 4. *Partitions.*

RESPONSE: As per *Section 15.100.030.B.4*, the proposed Partition shall be processed through Type II review procedure. This Application acknowledges the applicable provisions of *Section 15.100.030.C* through *Section 15.100.030.H* regarding Type II review procedure. This criterion is satisfied.

15.100.090 Development permit application.

Applications for development permits shall be submitted upon forms established by the director. An application shall consist of all materials required by this code, including the following information:

- A. *A completed development permit application form.*
- B. *Proof that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has the consent of all owners of the affected property.*
- C. *Other information required by this code.*
- D. *The applicable fees. [Ord. 2451, 12-2-96. Code 2001 § 151.040.]*

RESPONSE: In satisfaction of *Section 15.100.090* a completed Land Use Application form is provided as Exhibit A, proof of ownership is provided as Exhibit C, and all other applicable information required by the City of Newberg *Municipal Code* and *Comprehensive Plan* is included with this Application. All applicable fees have been remitted with this Application. This criterion is satisfied.

15.100.200 Compliance required.

Notice on all Type I through Type IV actions, including appeals, shall be conducted in accordance with this article. [Ord. 2451, 12-2-96. Code 2001 § 151.070.]

RESPONSE: As per *Section 12.100.200*, the provisions of this Article are applicable to the proposed development.

15.100.210 Mailed notice.

Mailed notice shall be provided as follows:

- B. *Type II and Type III Actions. The applicant shall provide public notice to:*
 - 1. *The owner of the site for which the application is made; and*
 - 2. *Owners of property within 500 feet of the entire site for which the application is made. The list shall be compiled from the most recent property tax assessment roll. For purposes of review, this requirement shall be deemed met when the applicant can provide an affidavit or other certification that such notice was deposited in the mail or personally delivered.*

RESPONSE: Prior to approval of this Application, the Applicant will give notice to all applicable parties pursuant to all applicable provisions of *Section 15.100.210 Mailed Notice*. A draft public notice is provided as Exhibit G, and neighboring property owners' contact information (within

500-feet of subject property) is provided as Exhibit H. This Application acknowledges the applicable provisions of *Section 15.100.210.C. through Section 15.100.210.J.* regarding noticing requirements. This criterion is satisfied.

15.100.220 Additional notice procedures for Type II development applications.

In addition to the requirements of NMC 15.100.210, mailed notice for development actions shall also contain the following:

- A. Provide a 14-day period from the date of mailing for the submission of written comments prior to the decision;*
- B. State that issues that may provide a basis for appeal must be raised in writing during the comment period;*
- C. State that issues must be raised with sufficient specificity to enable the local government to respond to the issue;*
- D. State the place, date and time that comments are due;*
- E. State that notice of the decision, including an explanation of appeal rights, will be provided to any person who submits comments under subsection (A) of this section;*
- F. Briefly summarize the local decision-making process.*
- G. Type II notice for subdivisions shall also include a description of how an interested party may request a public hearing before the planning commission. [Ord. 2451, 12-2-96. Code 2001 § 151.072.]*

RESPONSE: Prior to approval of this Application, the Applicant will give notice to all applicable parties pursuant to all applicable provisions of *Section 15.100.220 Additional Notice Procedures for Type II Development Applications.* A draft public notice is provided as Exhibit G, and neighboring property owners' contact information (within 500-feet of subject property) is provided as Exhibit H. This criterion is satisfied.

15.100.260 Procedure for posted notice for Type II and III procedures.

[Detailed Provisions Omitted for Brevity]

RESPONSE: This Application acknowledges all applicable provisions of *Section 15.100.260 Procedure for Posted Notice for Type II and III Procedures.* All applicable provisions regarding public notice will be satisfied prior to approval of this Application. This criterion is satisfied.

CHAPTER 15.210 CODE ADJUSTMENTS

15.210.020 Type I Adjustments and Approval Criteria

The director may authorize adjustments from the following requirements through a Type I procedure subject to the following:

- A. Yard Setback Dimensions, Lot Area, Percentage of Lot Coverage, Lot Dimensions.*
 - 1. The director may approve adjustments to:*
 - d. Lot Dimensions. Maximum of 10 percent of the required lot dimensions or frontages.*

RESPONSE: As per *Section 15.405.030.D.1.*, lots must have a minimum of 25-ft of frontage. As per *Section 15.210.020.A.1.d.*, the Director may authorize a 10% reduction in the required lot frontage standard. This Application requests a 10% reduction in the required lot frontage standard, so as to permit lots with 22.5-ft of frontage. As depicted by the enclosed Preliminary Engineering provided as Exhibit E, Parcel 1 has 22.50-ft of frontage and Parcel 2 has 22.58-ft of frontage. This criterion is satisfied.

2. *Approval Criteria. Approval of an adjustment shall be based on written findings. The director shall find that approval will result in:*

- a. *More efficient use of the site.*
- b. *Preservation of natural features, where appropriate.*
- c. *Adequate provisions of light, air and privacy to adjoining properties.*
- d. *Adequate emergency access.*
- e. *The adjustment is consistent with the setbacks, lot area, and/or coverage of buildings or structures previously existing in the immediate vicinity.*

RESPONSE: As per *Section 15.405.030.D.1.*, lots must have a minimum of 25-ft of frontage. As per *Section 15.210.020.A.1.d.*, the Director may authorize a 10% reduction in the required lot frontage standard. This Application requests a 10% reduction in the required lot frontage standard, so as to permit lots with 22.5-ft of frontage. As depicted by the enclosed Preliminary Engineering provided as Exhibit E, Parcel 1 has 22.50-ft of frontage and Parcel 2 has 22.58-ft of frontage.

The subject property is located within the South Park Newberg Subdivision, an existing single-family detached development designed with relatively narrow lots (the majority of lots being 25-ft wide). The proposed 10% reduction in frontage will not have any impact of the preservation of natural features, light, air, privacy, or emergency access. Furthermore, in conjunction with the proposed frontage reduction, this Application proposes the use of a shared driveway serve the two future dwellings on the subject property, so as to permit the most efficient use of the site. This criterion is satisfied.

CHAPTER 15.235 LAND DIVISIONS

15.235.020 General Requirements

A. Subdivision and Partition Approval through a Two-Step Process. Applications for subdivision or partition approval shall be processed by means of a preliminary plat evaluation and a final plat evaluation, according to the following two steps:

1. *The preliminary plat must be approved before the final plat can be submitted for approval consideration; and*
2. *The final plat must demonstrate compliance with all conditions of approval of the preliminary plat.*

RESPONSE: This Application request Preliminary Partition Plat approval. Following approval of the proposed Preliminary Plat, the Applicant will undergo Type I Final Plat Approval. This criterion is satisfied.

C. Compliance with ORS Chapter 92. All subdivision and partition proposals shall conform to state regulations in ORS Chapter 92, Subdivisions and Partitions.

RESPONSE: The proposed partition satisfies all applicable provisions of *ORS Chapter 92*. This criterion is satisfied.

D. Adequate Utilities. All lots created through land division shall have adequate public utilities and facilities such as streets, water, wastewater, gas, and electrical systems, pursuant to Chapters 15.430 and 15.505 NMC.

RESPONSE: As depicted by the Preliminary Engineering Plan Set provided as Exhibit E, the proposed partition is provided adequate public utilities, including access, water, and wastewater. Franchise utilities, including electricity, gas, and communication services, will be provided to serve the future development on the subject property. Furthermore, all public and private

utilities warranted by the future development of the subject property will be financed by the developer at the time of future development. This criterion is satisfied.

E. Adequate Drainage. All subdivision and partition proposals shall have adequate surface water drainage facilities that reduce exposure to flood damage and improve water quality. Water quality or quantity control improvements may be required, pursuant to NMC 15.505.050.

RESPONSE: This Application proposes a 2-Parcel Partition of Lot 13 of the South Park Newberg Subdivision (SUB217-0004). As addressed via the South Park Newberg Subdivision Land Use submittal, prior to the development of the subject property there was 43,084 SF of existing impervious area located on the subject property. As per *Section 4.6.1.II* of the City's *Design & Construction Standards*, impervious area associated with single-family lots may be estimated at a rate of 2,877 SF of impervious area per dwelling. Following approval of the proposed partition, the South Park Newberg Subdivision will include a total of 14 single-family detached dwellings. Therefore, the total impervious area created by the South Park Newberg Subdivision will be 40,278 SF (14-dwellings x 2,877 SF).

Furthermore, as per *Section 4.6.1.II* "stormwater quality and quantity facilities shall be sized for all net impervious area created by the subdivision". As per *Section 1.6* net impervious area is defined as "The increase in impervious area on a property after a project is completed." As the proposed improvements to due not constitute more than 43,084 SF (the existing impervious area on the subject property prior to development), there will be no increase in impervious area on the subject property following completion of development, thereby no stormwater quality or quantity facilities are warranted or proposed. This criterion is satisfied.

F. Adequate Access. All lots created or reconfigured shall have adequate vehicle access and parking, as may be required, pursuant to Chapter 15.440 NMC and NMC 15.505.030. [Ord. 2813 § 1 (Exh. A § 7), 9-5-17.]

RESPONSE: As depicted by the Preliminary Engineering Plan Set provided as Exhibit E, the proposed partition is provided adequate vehicle access and parking, as required by *Chapter 15.440* and *Section 15.505.030*. This criterion is satisfied.

15.235.030 Preliminary plat approval process.

A. Review of Preliminary Plat. All preliminary plats are subject to the approval criteria in NMC 15.235.050. Preliminary plats shall be processed using the Type II procedure under Chapter 15.100 NMC, except that subdivisions with any of the following conditions present shall be processed using the Type III procedure under Chapter 15.100 NMC:

- 1. The land is not fully within the city limits or urban growth boundary;*
- 2. The land contains Goal 5 resources which are mapped and designated in the comprehensive plan and land use regulations. These resources include but are not limited to open spaces, scenic and historic areas and natural resources;*
- 3. The proposed land division does not comply with the minimum street connectivity standards identified in NMC 15.505.030;*
- 4. The proposed land division does not provide enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted in the zoning designation for the site;*
- 5. The applicant requests, in writing and at the time of application, that the proposal be referred to the planning commission for a decision; or*

6. A written request for the application to be heard by the planning commission is submitted by a member of the public during the 14-day public comment period provided for in NMC 15.100.200 et seq.

RESPONSE: The subject property is located within the City limits. There are no Goal 5 resources identified on the subject property. As documented by this narrative and supporting Exhibits, the proposed partition complies with the minimum street connectivity standards of *Section 15.505.030*. The proposed development satisfies applicable density requirements of the R-2 Zoning District. Accordingly, as per *Section 15.235.030.A*, the proposed partition shall be processed via Type II review procedure. This criterion is satisfied.

15.235.040 Preliminary plat submission requirements.

Applications for preliminary plat approval shall contain all of the following information:

A. General Submission Requirements.

1. Information required for a Type II application.

RESPONSE: In satisfaction of *Section 15.235.040.A.1.*, this Application and supporting Exhibits document compliance with all information required by Type II review procedure. This criterion is satisfied.

2. Traffic Analysis. A traffic analysis shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. A traffic analysis may be required for projects below the 40 trips per p.m. peak hour threshold when the development's location or traffic characteristics could affect traffic safety, access management, street capacity or a known traffic problem or deficiency. The traffic analysis shall be scoped in conjunction with the city and any other applicable roadway authority.

RESPONSE: Following approval of the proposed partition, a total of 2 dwelling units (1 per parcel) will be sited on the subject property. Based on the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 8th Edition*, the proposed development will generate 2 new PM peak hour trip (2 dwelling units generating 2 trips per unit during the PM peak hour). Thus, as per the standards noted by this Section, a Traffic Study is not applicable to the proposed development as the project does not meet the threshold requirement of generating at least 40 new vehicular trips during the PM peak hour. Applicable provisions of this Section are satisfied.

3. Public Utilities Analysis. The public facilities analysis shall be scoped with the city, and shall address the impact of the proposed development on the public wastewater and water systems. The analysis shall identify any mitigation or improvements necessary to the public facilities to adequately serve the development per city standards under adopted ordinances and master plans.

RESPONSE: In satisfaction of *Section 15.235.040.A.3*, this narrative and supporting documentation analyze the adequacy of existing utility system in the vicinity of the subject property. This Application does not identify any mitigation warranted by the proposed development. A Preliminary Composite Utility Plan is provided as Sheet No. C3.0 of Exhibit E. This criterion is satisfied.

4. Stormwater Analysis. The stormwater analysis shall address the criteria listed in Chapter 13.25 NMC.

RESPONSE: A Stormwater Memo is provided as Exhibit F. This Application proposes a 2-Parcel Partition of Lot 13 of the South Park Newberg Subdivision (SUB217-0004). As addressed via the South Park Newberg Subdivision Land Use submittal, prior to the development of the subject property there was 43,084 SF of existing impervious area located on the subject property. As per *Section 4.6.1.II* of the City's *Design & Construction Standards*, impervious area associated with single-family lots may be estimated at a rate of 2,877 SF of impervious area per dwelling. Following approval of the proposed partition, the South Park Newberg Subdivision will include a total of 14 single-family detached dwellings. Therefore, the total impervious area created by the South Park Newberg Subdivision will be 40,278 SF (14-dwellings x 2,877 SF).

Furthermore, as per *Section 4.6.1.II* "stormwater quality and quantity facilities shall be sized for all net impervious area created by the subdivision". As per *Section 1.6* net impervious area is defined as "The increase in impervious area on a property after a project is completed." As the proposed improvements to due not constitute more than 43,084 SF (the existing impervious area on the subject property prior to development), there will be no increase in impervious area on the subject property following completion of development, thereby no stormwater quality or quantity facilities are warranted or proposed.

5. Wetland Delineation Approved by the Department of State Lands (DSL). An approved wetland delineation shall be submitted for any property listed in the National Wetlands Inventory (NWI) or that is located within the city's mapped stream corridor.

RESPONSE: The provisions of *Section 15.235.040.A.5.* are not applicable to this Application as there are no wetlands identified on the subject property.

6. Future Streets Concept Plan. The future streets concept shall show all existing subdivisions, streets, and unsubdivided land surrounding the subject property and show how proposed streets may be extended to connect with existing streets. At a minimum, the plan shall depict future street connections for land within 400 feet of the subject property.

RESPONSE: The subject property has frontage on S. Wyooski St. to the east. The remaining boundaries of the subject property are adjacent to existing low and medium density residential development. As such, the provisions of *Section 15.235.040.A.6.* regulating future streets concept plans are not applicable to this Application.

B. Preliminary Plat Information. In addition to the general information described in subsection (A) of this section, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide all of the following information, in quantities required by the director:

1. General Information.

- a. Name of subdivision (partitions are named by year and file number). This name shall not duplicate the name of another land division in Yamhill County;*
- b. Date, north arrow, and scale of drawing;*
- c. Location of the development sufficient to define its location in the city, boundaries, and a legal description of the site;*
- d. Zoning of tract to be divided, including any overlay zones;*
- e. A title block including the names, addresses and telephone numbers of the owners of the subject property and, as applicable, the name of the engineer and surveyor, and the date of the survey; and*

f. Identification of the drawing as a “preliminary plat.”

RESPONSE: The provisions of Section 15.235.040.B.1.a through Section 15.235.040.B.1.f are satisfied by this narrative and supporting documentation, including the Preliminary Engineering Plan Set provided as Exhibit E.

2. Existing Conditions. Except where the director deems certain information is not relevant, applications for preliminary plat approval shall contain all of the following information on existing conditions of the site:

- a. Streets. Location, name, and present width of all streets, alleys and rights-of-way on and abutting the site;*
- b. Easements. Width, location and purpose of all existing easements of record on and abutting the site;*
- c. Public Utilities. Location and identity of all public utilities on and abutting the site. If water mains, stormwater mains, and wastewater mains are not on or abutting the site, indicate the direction and distance to the nearest utility line and show how utilities will be brought to standard;*
- d. Private Utilities. Location and identity of all private utilities serving the site, and whether the utilities are above or underground;*
- e. Existing Structures. Show all structures on the project site and adjacent abutting properties;*
- f. Ground elevations shown by contour lines at a minimum two-foot vertical interval for slopes up to 10 percent and five feet for slopes over 10 percent. Show elevations for the subject property and within 100 feet of the subject property. Such ground elevations shall be related to some established benchmark or other datum approved by the county surveyor; the city engineer may waive this standard for partitions when grades, on average, are less than six percent;*
- g. The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);*
- h. Wetlands and stream corridors;*
- i. The base flood elevation, per FEMA Flood Insurance Rate Maps, as applicable;*
- j. North arrow and scale; and*
- k. Other information, as deemed necessary by the director for review of the application. The city may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.*

RESPONSE: An Existing Conditions Survey prepared by C1.0 is provided within the Preliminary Engineering in Exhibit E. Said Survey documents existing conditions on the subject property in satisfaction of all applicable provisions of Section 15.235.040.B.2.a through Section 15.235.040.B.2.k.

3. Proposed Development. Except where the director deems certain information is not relevant, applications for preliminary plat approval shall contain all of the following information on the proposed development:

- a. Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street centerline grades. All tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;*
- b. Easements. Location, width and purpose of all proposed easements;*
- c. Lots and private tracts (e.g., private open space, common area, or street) with approximate dimensions, area calculation (e.g., in square feet), and identification numbers. Through lots shall be avoided except where necessary to provide separation of residential development from major traffic routes, adjacent nonresidential activities, or to overcome specific issues with topography or orientation;*

- d. Proposed uses of the property, including all existing structures to remain, areas proposed to be dedicated as public right-of-way or preserved as open space for the purpose of stormwater management, recreation, or other use;*
- e. Proposed grading;*
- f. Proposed public street improvements, pursuant to NMC 15.505.030, including street cross sections;*
- g. Information demonstrating that proposed lots can reasonably be accessed and developed without the need for a variance and in conformance with applicable setbacks and lot coverage requirements;*
- h. Preliminary design for extending city water and wastewater service to each lot, per NMC 15.505.040;*
- i. Proposed method of stormwater drainage and treatment, if required, pursuant to NMC 15.505.050;*
- j. The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable;*
- k. Evidence of compliance with applicable overlay zones; and*
- l. Evidence of contact with the applicable road authority for proposed new street connections. [Ord. 2813 § 1 (Exh. A § 7), 9-5-17.]*

RESPONSE: The provisions of *Section 15.235.040.B.3.* are satisfied by this narrative and supporting documentation, including the Preliminary Engineering Plat Set provided as Exhibit E.

15.235.050 Preliminary plat approval criteria.

A. Approval Criteria. By means of a Type II procedure for a partition, or a Type II or III procedure for a subdivision per NMC 15.235.030(A), the applicable review body shall approve, approve with conditions, or deny an application for a preliminary plat. The decision shall be based on findings of compliance with all of the following approval criteria:

- 1. The land division application shall conform to the requirements of this chapter;*

RESPONSE: In satisfaction of *Section 15.235.050.A.1,* and as further addressed via this narrative and supporting documentation, the proposed partition satisfies all applicable provisions of *Chapter 15.235.*

- 2. All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of NMC Division 15.400, Development Standards;*

RESPONSE: In satisfaction of *Section 15.235.050.A.2,* and as further addressed via this narrative and supporting documentation, the proposed partition satisfies all applicable provisions of *Chapter 15.400.*

- 3. Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, wastewater, stormwater, and streets, shall conform to NMC Division 15.500, Public Improvement Standards;*

RESPONSE: In satisfaction of *Section 15.235.050.A.3,* and as further addressed via this narrative and supporting documentation, the proposed partition satisfies all applicable provisions of *Chapter 15.500.*

- 4. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;*

RESPONSE: The provisions of *Section 15.235.050.A.4* are not applicable as this Application requests approval of a Preliminary Partition Plat, not a Subdivision Plat.

5. The proposed streets, utilities, and stormwater facilities conform to city of Newberg adopted master plans and applicable Newberg public works design and construction standards, and allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;

RESPONSE: In satisfaction of *Section 15.235.050.A.5*, proposed improvements conform to the adopted master plans and applicable Newberg *Public Works Design and Construction Standards*.

6. All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through the appropriate legal instrument;

RESPONSE: The provisions of *Section 15.235.050.A.6* are not applicable as this Application does not propose any private common areas or improvements.

7. Evidence that any required state and federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and

RESPONSE: The proposed development does not warrant State or Federal permits. As such, the provisions of *Section 15.235.050.A.7* are not applicable to this Application.

8. Evidence that improvements or conditions required by the city, road authority, Yamhill County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met.

RESPONSE: The proposed development is designed in satisfaction of all applicable standards and regulations. As such, in satisfaction of *Section 15.235.050.A.8*, this narrative and supporting documentation serve as evidence that Conditions of Approval can be satisfied.

B. Conditions of Approval. The city may attach such conditions as are necessary to carry out provisions of this code, and other applicable ordinances and regulations. [Ord. 2813 § 1 (Ex. A § 7), 9-5-17.]

RESPONSE: This Application acknowledges the provisions of *Section 15.235.050.B*.

CHAPTER 15.305 ZONING USE TABLE

15.305.020 Zoning Use Table – Use Districts

#	Use	R-1	R-2	R-3	R-4	RP	C-1	C-2	C-3	C-4	M-1	M-2	M-3	M-4-I	M-4-C	CF	I	AR	AI	Notes and Special Use Standards	
200	RESIDENTIAL USES																				
Def.	Dwelling, single-family detached	P(2)	P	P(3)		P		C(4)	C(5)								P	P(6)			Subject to density limits of NMC 15.405.010(B)
Def.	Dwelling, two-family (duplex)	P(2)	P	P	C	P		C(4)	P(8)/C(5)								P				Subject to density limits of NMC 15.405.010(B)

RESPONSE: As per the *Zoning Use Table* of *Section 15.305.020* detached single-family dwellings are a permitted use in the R-2 zoning district subject to density limits of *Section 15.405.010(B)*.

The proposed partition's compliance with *Section 15.405.010(B)* is further addressed via this narrative. This criterion is satisfied.

CHAPTER 15.405 LOT REQUIREMENTS

15.405.010 Lot area – Lot areas per dwelling unit.

- A. In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code:*
- 2. In the R-2, R-3, and RP districts, each lot or development site shall have a minimum area of 3,000 square feet or as may be established by a subdistrict. In the R-2 and R-P districts, the average size of lots in a subdivision intended for single-family development shall not exceed 5,000 square feet.*
- B. Lot or Development Site Area per Dwelling Unit.*
- 2. In the R-2, AR, and R-P districts, there shall be a minimum of 3,000 square feet of lot or development site area per dwelling unit. In the R-2 and R-P districts, lots or development sites in excess of 15,000 square feet used for multiple single-family, duplex or multifamily dwellings shall be developed at a minimum of one dwelling per 5,000 square feet lot area.*

RESPONSE: The subject property is located within the R-2 Zoning District. As per *Section 15.405.010.A.2* parcels located within the R-2 Zoning District must have a minimum lot area of 3,000 SF. As per *Section 15.405.010.B.2* dwellings located within the R-2 Zoning District must have a minimum lot area of 3,000 SF per dwelling. As depicted by the Preliminary Partition Plat on C2.0 of the Preliminary Engineering provided as Exhibit E, Parcel 1 is 3,137 SF in area and Parcel 2 is 3,039 SF in area. Applicable provisions of this Section have been satisfied.

15.405.030 Lot dimensions and frontage.

- A. Width. Widths of lots shall conform to the standards of this code.*

RESPONSE: As addressed further via this narrative, proposed parcels satisfy all applicable width requirements.

- B. Depth to Width Ratio. Each lot and parcel shall have an average depth between the front and rear lines of not more than two and one-half times the average width between the side lines. Depths of lots shall conform to the standards of this code. Development of lots under 15,000 square feet are exempt from the lot depth to width ratio requirement.*

RESPONSE: As the proposed parcels are less than 15,000 SF in area the depth to width ratio requirements of *Section 15.405.030.B.* are not applicable to this application.

- C. Area. Lot sizes shall conform to standards set forth in this code. Lot area calculations shall not include area contained in public or private streets as defined by this code.*

RESPONSE: The subject property is located within the R-2 Zoning District. As per *Section 15.405.010.A.2.* parcels located within the R-1 Zoning District must have a minimum lot area of 3,000 SF. As per *Section 15.405.010.B.2.* dwellings located within the R-2 Zoning District must have a minimum lot area of 3,000 SF per dwelling. As depicted by the Preliminary Partition Plat on C2.0 of the Preliminary Engineering provided as Exhibit E, Parcel 1 is 3,137 SF in area and Parcel 2 is 3,039 SF in area. Lot area calculations due not include land contained within public or private streets. This criterion is satisfied.

- D. Frontage.*
- 1. No lot or development site shall have less than the following lot frontage standards:*

a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access except as allowed by NMC 15.240.020(L)(2).

RESPONSE: The subject property has 45.03-feet of existing frontage on S. Wyooski St. As permitted by *Section 15.210.020.A.1.d.*, this application requests a 10% reduction in the frontage of the proposed parcels. Approval of the requested code adjustment would permit lots to have 22.5-feet of frontage (10% reduction of 25-ft requirement). As depicted by the enclosed Preliminary Engineering provided as Exhibit E, Parcel 1 has 22.50-ft of frontage and Parcel 2 has 22.58-ft of frontage.

b. Each lot in R-2 zone shall have a minimum width of 25 feet at the front building line and R-3 zone shall have a minimum width of 30 feet at the front building line.

RESPONSE: In satisfaction of *Section 15.405.030.D.1.b.*, all proposed lots have at least 25-feet of width measured at the front building line.

15.405.040 Lot coverage and parking coverage requirements.

B. Residential uses in residential zones shall meet the following maximum lot coverage and parking coverage standards. See the definitions in NMC 15.05.030 and Appendix A, Figure 4.

1. Maximum Lot Coverage.

b. R-2 and RP: 50 percent.

2. Maximum Parking Coverage. R-1, R-2, R-3, and RP: 30 percent.

3. Combined Maximum Lot and Parking Coverage.

a. R-1, R-2 and RP: 60 percent.

RESPONSE: As per *Section 15.405.040.B.1.b.*, future development of proposed lots requires a maximum of 50% lot coverage. As per *Section 15.405.040.B.2.*, future development of proposed lots requires a maximum parking coverage of 30%. As per *Section 15.405.040.B.3.a.*, future development of proposed lots requires a maximum combined lot and parking coverage of 60%. This Application proposes the division of the subject property. Approval of said partition does not permit the construction of dwellings on the subject property. The future dwellings to be sited on the subject property will be reviewed for compliance with all applicable lot coverage standards during the Building Permit review and approval process. Applicable provisions of this Section are satisfied.

CHAPTER 15.410 YARD SETBACK REQUIREMENTS

15.410.020 Front yard setback.

A. Residential (see Appendix A, Figure 10).

1. AR, R-1 and R-2 districts shall have a front yard of not less than 15 feet. Said yard shall be landscaped and maintained.

3. The entrance to a garage or carport, whether or not attached to a dwelling, shall be set back at least 20 feet from the nearest property line of the street to which access will be provided. However, the foregoing setback requirement shall not apply where the garage or carport will be provided with access to an alley only.

RESPONSE: As per *Section 15.405.020.A.1.*, future development of proposed lots requires a minimum front yard setback of 15-feet. As per *Section 15.405.020.A.3.*, future development of proposed lots requires a minimum front yard garage setback of 20-feet. This Application proposes the division of the subject property. Approval of said partition does not permit the

construction of dwellings on the subject property. The future dwellings to be sited on the subject property will be reviewed for compliance with all applicable lot coverage standards during the Building Permit review and approval process. Applicable provisions of this Section are satisfied.

15.410.030 Interior yard setback.

A. Residential.

1. All lots or development sites in the AR, R-1, R-2 and R-3 districts shall have interior yards of not less than five feet, except that where a utility easement is recorded adjacent to a side lot line, there shall be a side yard no less than the width of the easement.

RESPONSE: As per *Section 410.030.A.1.*, future development of proposed lots requires minimum interior setbacks of 5-feet. This Application proposes the division of the subject property. Approval of said partition does not permit the construction of dwellings on the subject property. The future dwellings to be sited on the subject property will be reviewed for compliance with all applicable lot coverage standards during the Building Permit review and approval process. Applicable provisions of this Section are satisfied.

15.410.070 Yard exceptions and permitted intrusions into required yard setbacks.

[Detailed Provisions Omitted for Brevity]

RESPONSE: This Application acknowledges the provisions of this Section. Applicable provisions of this Section will be further addressed during the Building Permit review and approval process.

CHAPTER 15.415 BUILDING AND SITE DESIGN STANDARDS

15.415.020 Building height limitation.

1. In the R-1, R-2, AR, and RP districts, no main building shall exceed 30 feet in height. Accessory buildings in the R-1, R-2, R-3, AR, and RP districts are limited to 16 feet in height, except as follows:
a. Up to 800 square feet of an accessory building may have a height of up to 24 feet.

RESPONSE: As per *Section 15.415.020.1.a.*, future dwellings to be sited on the subject property will be no greater than 30-feet in height. Applicable provisions of this Section will be further addressed during the Building Permit review and approval process.

15.415.040 Public access required.

No building or structure shall be erected or altered except on a lot fronting or abutting on a public street or having access to a public street over a private street or easement of record approved in accordance with provisions contained in this code. New private streets may not be created to provide access except as allowed under NMC 15.332.020(B)(24), 15.336.020(B)(8), and in the M-4 zone. Existing private streets may not be used for access for new dwelling units, except as allowed under NMC 15.405.030. No building or structure shall be erected or altered without provisions for access roadways as required in the Oregon Fire Code, as adopted by the city. [Ord. 2720 § 1(11), 11-2-09; Ord. 2647, 6-5-06; Ord. 2507, 3-1-99; Ord. 2451, 12-2-96. Code 2001 § 151.538.]

RESPONSE: All proposed lots have access to a public right-of-way. Applicable provisions of this Section will be further reviewed during the Building Permit process.

CHAPTER 15.430 UNDERGROUND UTILITY INSTALLATION

15.430.010 Underground utility installation.

A. All new utility lines, including but not limited to electric, communication, natural gas, and cable television transmission lines, shall be placed underground. This does not include surface-mounted transformers, connections boxes, meter cabinets, service cabinets, temporary facilities during construction, and high-capacity electric lines operating at 50,000 volts or above.

RESPONSE: As addressed further via this narrative, there are existing utilities stubbed to the subject property which are adequate to serve the proposed developed. Existing utilities were designed in accordance with all applicable provisions of the City of Newberg *Public Works Design and Construction Standards*. This Application does not warrant or propose the relocation of any existing utilities on the subject property.

CHAPTER 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS

15.440.010 Required off-street parking.

A. Off-street parking shall be provided on the development site for all R-1, C-1, M-1, M-2 and M-3 zones. In all other zones, the required parking shall be on the development site or within 400 feet of the development site which the parking is required to serve. All required parking must be under the same ownership as the development site served except through special covenant agreements as approved by the city attorney, which bind the parking to the development site.

RESPONSE: As addressed further via this narrative, the future dwellings on the subject property will be provided off-street parking on their respective Lots in garages and on driveways.

15.440.030 Parking Spaces Required

Use	Minimum Parking Spaces Required
Residential Types	
Dwelling, single-family or two-family	2 for each dwelling unit on a single lot

RESPONSE: As per the *Minimum Parking Spaces Required Table of Section 15.440.030*, the proposed development requires 2 off-street parking spaces per unit on a single lot. As addressed further via this narrative, the future dwellings on the subject property will be provided off-street parking on their respective Lots in garages and on driveways. Off-street parking associated with future dwellings will be further reviewed for compliance with the provisions of this Section, and any mandated Conditions of Approval during the Building Permit review and approval process.

CHAPTER 15.505 PUBLIC IMPROVEMENTS STANDARDS

15.505.030 Street Standards

D. Construction of New Streets. Where new streets are necessary to serve a new development, subdivision, or partition, right-of-way dedication and full street improvements shall be required. Three-quarter streets may be approved in lieu of full street improvements when the city finds it to be practical to require the completion of the other one-quarter street improvement when the adjoining property is developed; in such cases, three-quarter street improvements may be allowed by the city only where all of the following criteria are met:

- 1. The land abutting the opposite side of the new street is undeveloped and not part of the new development; and*
- 2. The adjoining land abutting the opposite side of the street is within the city limits and the urban growth boundary.*

RESPONSE: This Application does not propose or warrant the construction of a new right-of-way. As such the provisions of *Section 15.505.030.D.* are not applicable to the proposed development.

E. Improvements to Existing Streets.

1. All projects subject to partition, subdivision, or Type II design review approval shall dedicate right-of-way sufficient to improve the street to the width specified in subsection (G) of this section.
 2. All projects subject to partition, subdivision, or Type II design review approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The director may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle the projected traffic loads from the development. Where a development has frontage on both sides of an existing street, full street improvements are required.
- G. **Street Width and Design Standards.**

1. **Design Standards.** All streets shall conform with the standards contained in Table 15.505.030(G). Where a range of values is listed, the director shall determine the width based on a consideration of the total street section width needed, existing street widths, and existing development patterns. Preference shall be given to the higher value. Where values may be modified by the director, the overall width shall be determined using the standards under subsections (G)(2) through (10) of this section.

Table 15.505.030(G) Street Design Standards

Type of Street	Right-of-Way Width	Curb-to-Curb Pavement Width	Motor Vehicle Travel Lanes	Median Type	Striped Bike Lane (Both Sides)	On-Street Parking
Minor arterial	69 – 80 feet	48 feet	2 lanes	TWLTL or median*	Yes	No*
Collectors						
Major	57 – 80 feet	36 feet	2 lanes	None*	Yes	No*
Minor	61 – 65 feet	40 feet	2 lanes	None*	Yes*	Yes*
Local Streets						
Local residential	54 – 60 feet	32 feet	2 lanes	None	No	Yes

RESPONSE: The subject property has frontage on S. Wynooski St. along its eastern boundary. As per the City’s *Transportation System Plan*, S. Wynooski St. has a functional classification of Major Collector As per *Table 15.505.030.(G) Street Design Standards* of the City’s *Community Development Code*, Major Collectors shall have a minimum ROW of width of 57-ft. S. Wynooski St. currently includes 50-ft of ROW (including 30-ft from the S. Wynooski St. centerline to the subject property’s frontage on S. Wynooski St.). As such, when the adjacent property to the east of S. Wynooski St. develops an additional 10-ft will be dedicated by said property owner to match the subject property’s existing ROW dedication. As such, this Application does not warrant or propose right-of-way dedications. Accordingly, the provisions of *Section 15.410.050.E.* and *Section 15.410.050.G.* are not applicable to the proposed development.

R. **Vehicular Access Standards.**

2. **Access Spacing Standards.** Public street intersection and driveway spacing shall follow the standards in *Table 15.505.R* below. The Oregon Department of Transportation (ODOT) has jurisdiction of some roadways within the Newberg city limits, and ODOT access standards will apply on those roadways.

Table 15.505.R. Access Spacing Standards

<u>Roadway Functional Classification</u>	<u>Area¹</u>	<u>Minimum Public Street Intersection Spacing (Feet)²</u>	<u>Driveway Setback from Intersecting Street³</u>
<u>Expressway</u>	All	Refer to <u>ODOT Access Spacing Standards</u>	NA
<u>Major arterial</u>	Urban CBD	Refer to <u>ODOT Access Spacing Standards</u>	
<u>Minor arterial</u>	Urban CBD	500 200	150 100
<u>Major collector</u>	All	400	150
<u>Minor collector</u>	All	300	100

RESPONSE:

As per the City’s *Transportation System Plan*, S. Wyooski St. has a functional classification of Major Collector. As per *Table 15.505.R. Access Spacing Standards*, driveways on Major Collectors shall be a minimum of 150-ft from intersecting streets.

This Application proposes the installation of a new shared driveway on S. Wyooski St. to serve both parcels within the proposed partition. The closest intersection to the subject property is the intersection of S. Wyooski St. and Lilly Ct., which is approximately 195-ft south of the subject property. This criterion is satisfied.

7. Shared Driveways.

- a. The number of driveways onto arterial streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The city shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes. Where there is an abutting developable property, a shared driveway shall be provided as appropriate. When shared driveways are required, they shall be stubbed to adjacent developable parcels to indicate future extension. “Stub” means that a driveway temporarily ends at the property line, but may be accessed or extended in the future as the adjacent parcel develops. “Developable” means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).*
- b. Access easements (i.e., for the benefit of affected properties) and maintenance agreements shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.*
- c. No more than four lots may access one shared driveway.*
- d. Shared driveways shall be posted as no parking fire lanes where required by the fire marshal.*

RESPONSE: In regard to *Section 15.505.030.R.7.a.*, the subject property does not take access onto an Arterial Street. In regard to *Section 15.505.030.R.7.b.*, this Application proposes the use of a shared drive to serve future dwellings on the subject property. As required by *Section 15.505.030.R.7.b.*, a shared Maintenance Agreement will be recorded at the time of Final Partition Plat recordation.

In satisfaction of *Section 15.505.030.R.7.c.*, this Application proposes 2 parcels (less than 5 parcels) utilize said shared driveway. This Application acknowledges the provisions of *Section 15.505.030.R.7.d.*

T. Street Trees. Street trees shall be provided for all projects subject to Type II design review, partition, or subdivision. Street trees shall be installed in accordance with the provisions of NMC 15.420.010(B)(4).

RESPONSE: As depicted by Sheet C2.0 of the Preliminary Engineering in Exhibit E, the subject property has 45.08-feet of existing frontage on S. Wynooski St. As depicted by Sheet C3.0 of the Preliminary Engineering in Exhibit E, this Application proposes one new street tree along the subject property's frontage on S. Wynooski St.

U. Street Lights. All developments shall include underground electric service, light standards, wiring and lamps for street lights according to the specifications and standards of the Newberg public works design and construction standards. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility as approved by the city. Upon the city's acceptance of the public improvements associated with the development, the street lighting system, exclusive of utility-owned service lines, shall be and become property of the city unless otherwise designated by the city through agreement with a private utility.

RESPONSE: There is an existing streetlight located on the frontage of Lot 10 of the South Park Newberg Subdivision (515 S. Wynooski St.), approximately 98-ft north of the subject property. Furthermore, there is an existing streetlight located at the intersection of S. Wynooski St. and Lilly Ct., approximately 250-ft north of the subject property. As such, this Application does not warrant or propose the installation of additional streetlights.

15.505.040 Public Utility Standards

C. General Standards.

- 1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the Newberg public works design and construction standards and require a public improvements permit.*
- 2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.*

RESPONSE: In satisfaction of *Section 15.505.040.C.1*, existing utilities were designed in conformance with all applicable provisions of the City of Newberg's *Public Works Design and Construction Standards*. This Application does not warrant or propose the relocation of any existing utilities on the subject property. Furthermore, as per *Section 15.505.040.C.2.*, existing utilities were designed to minimize the disturbance of soil and existing conditions to the greatest extent feasible.

D. Standards for Water Improvements. All development that has a need for water service shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary wastewater and stormwater facilities, as applicable.

- 1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping stations which*

connect to such water service facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

RESPONSE: In satisfaction of *Section 15.505.040.D.1.*, there are existing utilities on the subject property which are adequate to serve the proposed development. Following approval of the proposed partition, future dwellings to be sited on the subject property will be provided water services in compliance with all applicable City standards. A preliminary water design is provided as Sheet C3.0 of the Preliminary Engineering plan set provided as Exhibit E.

2. Specific location, size and capacity of such facilities will be subject to the approval of the director with reference to the applicable water master plan. All water facilities shall conform with city pressure zones and shall be looped where necessary to provide adequate pressure and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. Installation costs shall remain entirely the developer's responsibility.

RESPONSE: This Application acknowledges the provisions of *Section 15.505.040.D.2.*

3. The design of the water facilities shall take into account provisions for the future extension beyond the development to serve adjacent properties, which, in the judgment of the city, cannot be feasibly served otherwise.

RESPONSE: The subject property has frontage on S. Wynooski St. to the east. The remaining boundaries of the subject property are adjacent to existing low-density residential development. As such, the provisions of *Section 15.505.040.D.3.* are not applicable to the proposed development.

4. Design, construction and material standards shall be as specified by the director for the construction of such public water facilities in the city.

RESPONSE: This Application acknowledges the provisions of *Section 15.505.040.D.4.*

E. Standards for Wastewater Improvements. All development that has a need for wastewater services shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary water services and stormwater facilities, as applicable.

1. All septic tank systems and on-site sewage systems are prohibited. Existing septic systems must be abandoned or removed in accordance with Yamhill County standards.

RESPONSE: There are no existing septic tanks or on-site sewage systems on the subject property. As such, the provisions of *Section 15.505.040.E.1.* are not applicable to the proposed development.

2. All properties shall be provided with gravity service to the city wastewater system, except for lots that have unique topographic or other natural features that make gravity wastewater extension impractical as determined by the director. Where gravity service is impractical, the developer shall provide all necessary pumps/lift stations and other improvements, as determined by the director.

3. All developments shall be required to be linked to existing wastewater collection facilities adequately sized to serve their intended area by the construction of wastewater lines which connect to existing adequately sized wastewater facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.

RESPONSE: In satisfaction of *Section 15.505.040.E.2* and *Section 15.505.040.E.3.*, there are existing utilities on the subject property which are adequate to serve the proposed development. Following approval of the proposed partition, future dwellings to be sited on the subject property will be provided gravity sanitary services in compliance with all applicable City standards. A preliminary sanitary design is provided as Sheet C3.0 of the Preliminary Engineering plan set provided as Exhibit E.

4. Specific location, size and capacity of wastewater facilities will be subject to the approval of the director with reference to the applicable wastewater master plan. All wastewater facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. Installation costs shall remain entirely the developer's responsibility.

RESPONSE: This Application acknowledges the provisions of *Section 15.505.040.E.4.*

5. Temporary wastewater service facilities, including pumping stations, will be permitted only if the director approves the temporary facilities, and the developer provides for all facilities that are necessary for transition to permanent facilities.

RESPONSE: This Application does not propose temporary wastewater service facilities. As such the provisions of *Section 15.505.040.E.5.* are not applicable to the proposed development.

6. The design of the wastewater facilities shall take into account provisions for the future extension beyond the development to serve upstream properties, which, in the judgment of the city, cannot be feasibly served otherwise.

RESPONSE: The subject property has frontage on S. Wynooski St. to the east. The remaining boundaries of the subject property are adjacent to existing low-density residential development. As such, the provisions of *Section 15.505.040.E.6.* are not applicable to the proposed development.

7. Design, construction and material standards shall be as specified by the director for the construction of such wastewater facilities in the city.

RESPONSE: This Application acknowledges the provisions of *Section 15.505.040.E.7.*

F. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as provided in the Newberg public works design and construction standards. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]

RESPONSE: In satisfaction of *Section 15.505.040.F.*, as depicted by the Record of Survey provided as Exhibit D, there is an existing 10-ft public utility easement along the subject property's frontage on S. Wynooski St.

15.505.050 Stormwater System Standards

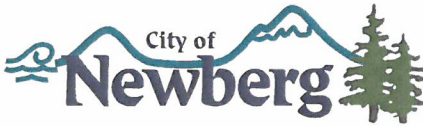
[Detailed Provisions Omitted for Brevity]

RESPONSE: This Application proposes a 2-Parcel Partition of Lot 13 of the South Park Newberg Subdivision (SUB217-0004). As addressed via the South Park Newberg Subdivision Land Use submittal, prior to the development of the subject property there was 43,084 SF of existing impervious area located on the subject property. As per *Section 4.6.1.II* of the City's *Design & Construction Standards*, impervious area associated with single-family lots may be estimated at a rate of 2,877 SF of impervious area per dwelling. Following approval of the proposed partition, the South Park Newberg Subdivision will include a total of 14 single-family detached dwellings. Therefore, the total impervious area created by the South Park Newberg Subdivision will be 40,278 SF (14-dwellings x 2,877 SF).

Furthermore, as per *Section 4.6.1.II* "stormwater quality and quantity facilities shall be sized for all net impervious area created by the subdivision". As per *Section 1.6* net impervious area is defined as "The increase in impervious area on a property after a project is completed." As the proposed improvements to due not constitute more than 43,084 SF (the existing impervious area on the subject property prior to development), there will be no increase in impervious area on the subject property following completion of development, thereby no stormwater quality or quantity facilities are warranted or proposed.

CONCLUSION

This narrative and supporting documentation demonstrate compliance with all applicable provisions of the *City of Newberg Community Development Code*. The Applicant thereby respectfully requests approval of this 2-Parcel Partition as proposed.



TYPE II APPLICATION (LAND USE) -- 2019

File #: _____

TYPES – PLEASE CHECK ONE:

- Design review
- Tentative Plan for Partition
- Tentative Plan for Subdivision
- Type II Major Modification
- Variance _____
- Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: Del Boca Vista LLC
 ADDRESS: PO Box 3189, Newberg, OR 97132
 EMAIL ADDRESS: mackenzie@dbvcorp.com; teresa@dbvcorp.com
 PHONE: 971-706-2058 MOBILE: 503-550-1932 FAX: _____
 OWNER (if different from above): South Park LLC PHONE: Same
 ADDRESS: Same
 ENGINEER/SURVEYOR: Cardno PHONE: 503-419-2500
 ADDRESS: 6720 SW Macadam Ave., Ste. 200 Portland, OR 97219

GENERAL INFORMATION:

PROJECT NAME: South Park Lot 13 Partition PROJECT LOCATION: 523 S. Wyooski Street
 PROJECT VALUATION: _____
 PROJECT DESCRIPTION/USE: Partition 1 lot into 2 lots
 MAP/TAX LOT NO. (i.e. 3200AB-400): R3220BD-4501 ZONE: R-2 SITE SIZE: 6,176 SQ. FT. ACRE
 COMP PLAN DESIGNATION: MDR TOPOGRAPHY: Less than 1% west to east
 CURRENT USE: Vacant
 SURROUNDING USES:
 NORTH: R-2 Single Family Residence SOUTH: Multifamily Development (under construction); R-2
 EAST: R-2 Single Family Residence WEST: R-2 Single Family Residence

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: Fees Public Notice Information Current Title Report Written Criteria Response Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Design Reviewp. 12
 Partition Tentative Platp. 14
 Subdivision Tentative Platp. 17
 Variance Checklistp. 20

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Mackenzie Davis 1/7/20
 Applicant Signature Date

Marc Willcuts 1/7/20
 Owner Signature Date

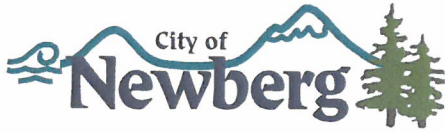
Mackenzie Davis, Land Acquisition & Development Manager

Marc Willcuts, member of Jackson & Co member of South Park LLC

Print Name

Print Name

Attachments: General Information, Fee Schedule, Criteria, Checklists



TYPE I APPLICATION -- 2020 (ADMINISTRATIVE REVIEW)

File #: _____

TYPES – PLEASE CHECK ONE:

- Code Adjustment
- Final Plat
- Minor Design Review
- Property Line Adjustment

- Property Line Consolidation
- Type I Extension or Type I Minor/Major Modification
- Type II or Type III Extension or Minor Modification
- Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: Del Boca Vista LLC
 ADDRESS: PO Box 3189 Newberg, OR 97132
 EMAIL ADDRESS: mackenzie@dbvcorp.com
 PHONE: 503-550-1932 MOBILE: _____ FAX: _____
 OWNER (if different from above): South Park LLC PHONE: -same-
 ADDRESS: -same-
 ENGINEER/SURVEYOR: Cardno PHONE: 502-419-2500
 ADDRESS: 6720 SW Macadam Ave., Ste. 200 Portland, OR 97219

GENERAL INFORMATION:

PROJECT NAME: South Park Lot 13 Partition - Type I Minor Mod PROJECT LOCATION: 523 S. Wynooski St.
 PROJECT DESCRIPTION/USE: Type I Minor Mod (Lot Frontage) associated with 2-Parcel Partition PROJECT VALUATION: _____
 MAP/TAX LOT NO. (i.e. 3200AB-400): R3220BD-4501 ZONE: R-2 SITE SIZE: 6,176 SQ. FT. ACRE
 COMP PLAN DESIGNATION: MDR TOPOGRAPHY: Less than 1% west to east
 CURRENT USE: Vacant
 SURROUNDING USES:
 NORTH: R-2 Single-Family Detached SOUTH: Multifamily Development (under construction); R-2
 EAST: R-2 Single-Family Detached WEST: R-2 Single-Family Detached

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: Fees Current Title Report Written Criteria Response Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Code Adjustment	p. 4
Final Plat	p. 6
Minor Design Review	p. 10
Property Line Consolidation.....	p. 11
Property Line Adjustment.....	p. 12

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Mackenzie Davis 2/6/20
 Applicant Signature Date

Marc Willcuts 2/6/20
 Owner Signature Date

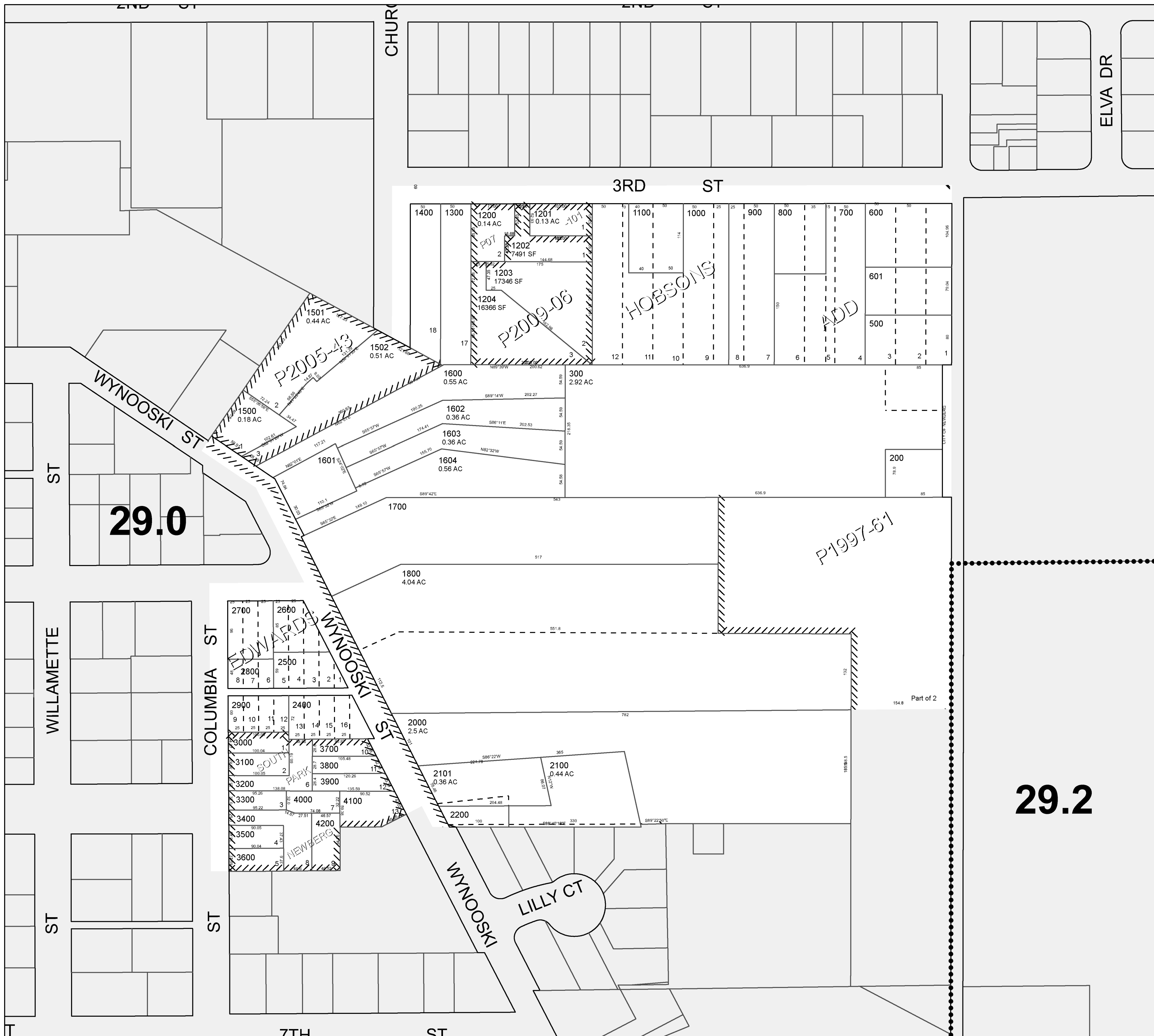
MacKenzie Davis, Land Acquisition & Development Manager
Print Name

Marc Willcuts, member Jackson & Company LLC, member South Park LLC
Print Name



ASSESSMENT & TAX
CARTOGRAPHY

S.E. 1/4 N.W. 1/4 SEC. 20 T. 3S. R. 2W. W.M.
YAMHILL COUNTY OREGON
1" = 100'



CANCELLED TAXLOTS:
2201
1900
801
400
2300

DATE PRINTED: 5/2/2019

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.



First American

First American Title Insurance Company

825 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

**PUBLIC RECORD REPORT
FOR NEW SUBDIVISION OR LAND PARTITION**

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF:

Del Boca Vista LLC
500 E. Hancock
Newberg, OR 97132
Phone: (971)706-2058
Fax:

Date Prepared : January 07, 2020
Effective Date : 8:00 A.M on January 03, 2020
Order No. : 1039-3377368
Subdivision : SOUTH PARK NEWBERG Lot 13 Partition

The information contained in this report is furnished by First American Title Insurance Company (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report. Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

REPORT

- A. The Land referred to in this report is located in the County of YAMHILL, State of Oregon, and is described as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

- C. As of the Effective Date and according to the Public Records, we find title to the land apparently vested in:

As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof

- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.

EXHIBIT "A"
(Land Description Map Tax and Account)

A tract of land located in the Southwest 1/4 of Section 20, Township 3 South, Range 2 West of the Willamette Meridian, City of Newberg, Yamhill County, Oregon, being a portion of Lots 7, 9 and 12 and all of Lot 13 of the SOUTH PARK NEWBERG subdivision, the perimeter of which being more particularly described as follows:

Beginning at an iron rod marking the southwest corner of said Lot 13; thence North 89°50'40" East 68.35 feet to an iron rod; thence North 62°56'11" East 46.26 feet to an iron rod on the west margin of Wynoski Street; thence along said west margin North 27°04'31" West 45.03 feet to an iron rod; thence leaving said west margin South 88°43'10" West 89.17 feet to an iron rod marking the northwest corner of said Lot 13; thence North 89°34'14" West 5.50 feet to an iron rod on the north line of Lot 7; thence South 00°07'17" East 36.37 feet to an iron rod on the south line of said Lot Lot 7; thence South 89°42'43" West 3.10 feet to an iron rod on the north line of Lot 9; thence South 00°07'17" East 23.06 feet to an iron rod set in CS-13550; thence South 89°50'40" East 8.60 feet to the POINT OF BEGINNING.

Map No.:

Tax Account No.: 711898

EXHIBIT "B"
(Vesting)

South Park LLC, an Oregon limited liability company

EXHIBIT "C"
(Liens and Encumbrances)

1. Taxes for the year 2019-2020
Tax Amount \$ 1,521.89
Unpaid Balance: \$ 1,521.89, plus interest and penalties, if any
Code No.: 29.0
Map & Tax Lot No.: R3220BD 04100
Property ID No.: 711898
(Affects Lot 13)
2. Taxes for the year 2019-2020
Tax Amount \$ 1,277.97
Unpaid Balance: \$ 1,277.97, plus interest and penalties, if any.
Code No.: 29.0
Map & Tax Lot No.: R3220BD 04000
Property ID No.: 711896
(Affects Lot 7)
3. Taxes for the year 2019-2020
Tax Amount \$ 1,337.61
Unpaid Balance: \$ 1,337.61, plus interest and penalties, if any.
Code No.: 29.0
Map & Tax Lot No.: R3220BD 03900
Property ID No.: 711894
(Affects Lot 12)
4. City liens, if any, of the City of NEWBERG.
5. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
6. Easement as shown on the recorded plat/partition
For: Public utilities
Affects: Easterly 10 feet
7. Easement as shown on the recorded plat/partition
For: Storm Drain
Affects: See plat for exact location
8. Easement as shown on the recorded plat/partition
For: private 10' wide storm drain
Affects: Lot 7
9. Easement as shown on the recorded plat/partition
For: 10' wide sanitary sewer to benefit City of Newberg
Affects: See plat for exact location

10. Easement as shown on the recorded plat/partition
For: 5' wide private sanitary sewer
Affects: Lot 9
11. Access and Utilities Easement and Maintenance Agreement, including terms and provisions thereof.
Recorded: January 7, 2019 as Instrument No. 201900227, Deed and
Mortgage Records
(Affects Lot 9)
12. Access and Utilities Easement and Maintenance Agreement, including terms and provisions thereof.
Recorded: January 7, 2019 as Instrument No. 201900228, Deed and
Mortgage Records
(Affects Lot 7)
13. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: South Park LLC, an Oregon limited liability company
Grantee/Beneficiary: Joseph Casey
Trustee: First American Title
Amount: \$100,000.00
Dated: January 30, 2019
Recorded: February 8, 2019
Recording Information: Instrument No. 201901658, Deed and Mortgage Records
(Affects Lot 13)
14. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: South Park LLC, an Oregon limited liability company
Grantee/Beneficiary: IRA Services CFBO James Feller IRA
Trustee: First American Title
Amount: \$300,000.00
Dated: January 7, 2019
Recorded: February 20, 2019
Recording Information: Instrument No. 201902102, Deed and Mortgage Records
(Affects Lot 7)
15. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: South Park LLC, an Oregon limited liability company
Grantee/Beneficiary: Stella5 Investments LLC, an Oregon limited liability company
Trustee: First American Title
Amount: \$301,511.00
Recorded: March 19, 2019
Recording Information: Instrument No. 201903306, Deed and Mortgage Records
(Affects Lot 12)
16. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: South Park LLC, an Oregon limited liability company
Grantee/Beneficiary: Matthew Willcuts
Trustee: First American Title
Amount: \$100,000.00
Dated: October 23, 2019
Recorded: October 24, 2019
Recording Information: Instrument No. 201915457, Deed and Mortgage Records
(Affects Lot 13)

17. Easement, including terms and provisions contained therein:
Recording Information: December 27, 2019 as Instrument No. 201918803, Deed
and Mortgage Records
For: variable width exclusive use easement

18. Any conveyance or encumbrance by South Park LLC should be executed pursuant to their Operating Agreement , a copy of which should be submitted to this office for inspection.

NOTE: Taxes for the year 2019-2020 PAID IN FULL

Tax Amount:	\$1,409.51
Map No.:	R3220BD 04200
Property ID:	711900
Tax Code No.:	29.0

(Affects Lot 9)

DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
 - (a) "Customer": The person or persons named or shown as the addressee of this report.
 - (b) "Effective Date": The effective date stated in this report.
 - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
 - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.

2. **Liability of the Company.**
 - (a) THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.
 - (b) No costs (including, without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
 - (c) In any event, the Company assumes no liability for loss or damage by reason of the following:
 - (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.
 - (2) Any 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, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
 - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
 - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (iii) water rights or claims or title to water.
 - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
 - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment on the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
 - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.

3. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.

Record of Survey for : South Park LLC

Location: SE 1/4 of NW 1/4 of Section 20 T. 3 S., R. 2 W., WM.,
 Being a portion of the Joseph B. Rogers D.L.C. #55
 In a portion of Lots 12 and 13 of SOUTH PARK NEWBERG Subdivision Plat
 City of Newberg, Yamhill County, OR

Tax Lot: 3220BD - 3900 & 4100

Date: 8 NOVEMBER 2019

City of Newberg Planning Docket No. ADJP19-0006

TAX LOT: 3220BD-3800
 SOUTH PARK LLC
 INST. NO. 201901659
 LOT 11 OF SOUTH PARK NEWBERG
 3,716 Sq. FEET

TAX LOT: 3220BD-3900
 SOUTH PARK LLC
 LOT 12 OF SOUTH PARK NEWBERG
 3,716 Sq. FEET BEFORE ADJUSTMENT
 3,596 Sq. FEET AFTER ADJUSTMENT

TAX LOT: 3220BD - 4100
 SOUTH PARK LLC
 INST. NO. 201912947
 Lot 13 OF SOUTH PARK NEWBERG
 6,056 Sq. FEET BEFORE ADJUSTMENT
 6,176 Sq. FEET AFTER ADJUSTMENT

TAX LOT: 3220BD - 4000
 SOUTH PARK LLC
 INST. NO. 201902101
 Lot 7 OF SOUTH PARK NEWBERG
 3,003 Sq. FEET

TAX LOT: 3220BD - 04200
 SOUTH PARK LLC
 INST. NO. 201900668
 Lot 9 OF SOUTH PARK NEWBERG
 4,209 Sq. FEET

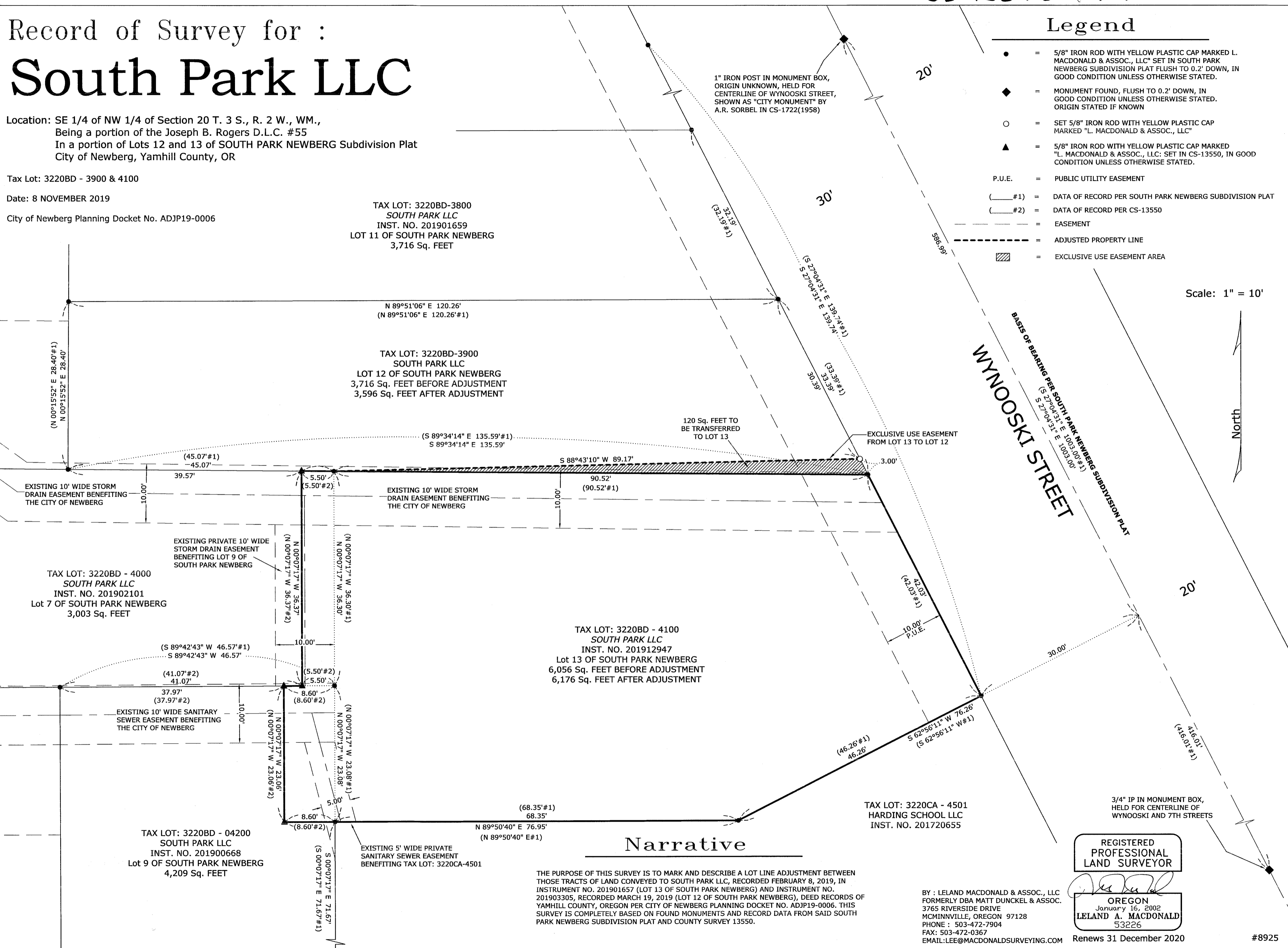
TAX LOT: 3220CA - 4501
 HARDING SCHOOL LLC
 INST. NO. 201720655

Legend

- = 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED L. MACDONALD & ASSOC., LLC SET IN SOUTH PARK NEWBERG SUBDIVISION PLAT FLUSH TO 0.2' DOWN, IN GOOD CONDITION UNLESS OTHERWISE STATED.
- ◆ = MONUMENT FOUND, FLUSH TO 0.2' DOWN, IN GOOD CONDITION UNLESS OTHERWISE STATED. ORIGIN STATED IF KNOWN
- = SET 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "L. MACDONALD & ASSOC., LLC"
- ▲ = 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "L. MACDONALD & ASSOC., LLC: SET IN CS-13550, IN GOOD CONDITION UNLESS OTHERWISE STATED.
- P.U.E. = PUBLIC UTILITY EASEMENT
- (#1) = DATA OF RECORD PER SOUTH PARK NEWBERG SUBDIVISION PLAT
- (#2) = DATA OF RECORD PER CS-13550
- - - = EASEMENT
- - - - - = ADJUSTED PROPERTY LINE
- ▨ = EXCLUSIVE USE EASEMENT AREA

Scale: 1" = 10'

North



Narrative

THE PURPOSE OF THIS SURVEY IS TO MARK AND DESCRIBE A LOT LINE ADJUSTMENT BETWEEN THOSE TRACTS OF LAND CONVEYED TO SOUTH PARK LLC, RECORDED FEBRUARY 8, 2019, IN INSTRUMENT NO. 201901657 (LOT 13 OF SOUTH PARK NEWBERG) AND INSTRUMENT NO. 201903305, RECORDED MARCH 19, 2019 (LOT 12 OF SOUTH PARK NEWBERG), DEED RECORDS OF YAMHILL COUNTY, OREGON PER CITY OF NEWBERG PLANNING DOCKET NO. ADJP19-0006. THIS SURVEY IS COMPLETELY BASED ON FOUND MONUMENTS AND RECORD DATA FROM SAID SOUTH PARK NEWBERG SUBDIVISION PLAT AND COUNTY SURVEY 13550.

BY : LELAND MACDONALD & ASSOC., LLC
 FORMERLY DBA MATT DUNCKEL & ASSOC.
 3765 RIVERSIDE DRIVE
 McMinnville, Oregon 97128
 PHONE : 503-472-7904
 FAX: 503-472-0367
 EMAIL: LEE@MACDONALDSURVEYING.COM

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 January 15, 2002
 LELAND A. MACDONALD
 53226

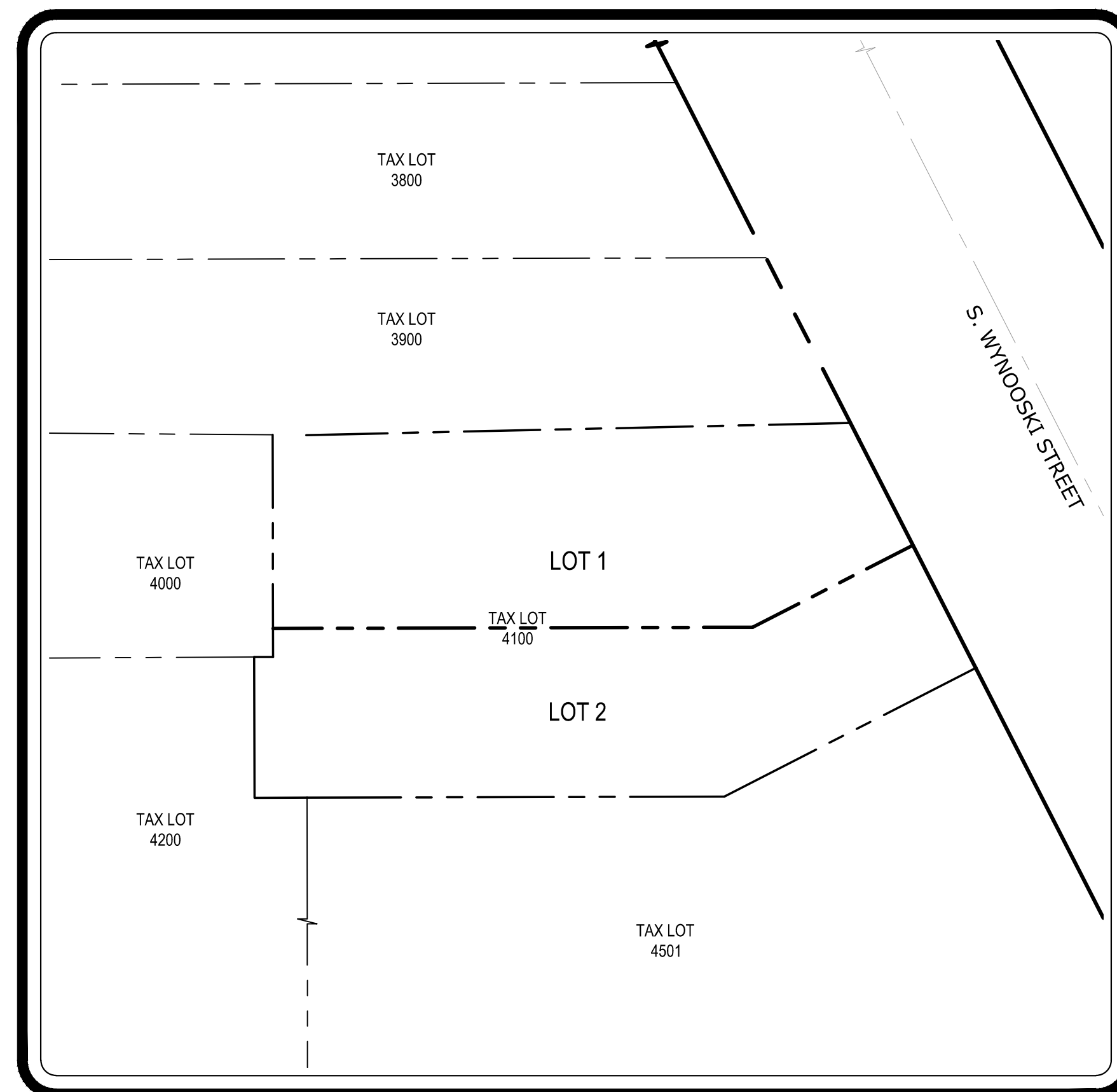
Renews 31 December 2020

523 S. WYNOOSKI STREET PARTITION

PREPARED FOR:
SOUTH PARK LLC.
NEWBERG, OREGON



VICINITY MAP
SCALE: NTS



SITE MAP
SCALE: NTS

SITE INFORMATION

LOCATED AT 523 WYNOOSKI STREET

ZONE = R-2

LOT SIZE = 6,176 SF

PROJECT TEAM

DEVELOPER / PLANNER

SOUTH PARK LLC
ATTN: MACKENZIE DAVIS
PO BOX 3189
NEWBERG, OR 97132
PHONE: 913-544-4812

CIVIL ENGINEER

CARDNO
ATTN: JEFF VANDERDASSON, P.E.
6720 SW MACADAM AVE. SUITE 200
PORTLAND, OR 97219
PHONE: 503-419-2500
FAX: 503-419-2600

SHEET INDEX

C0.0 - COVER SHEET
C1.0 - EXISTING CONDITIONS AND DEMO PLAN
C2.0 - PRELIMINARY PARTITION PLAT
C3.0 - SITE AND UTILITY PLAN

#	DATE	DESCRIPTION	BY

DATE		02/05/2020
DRAWN		MAW
DESIGNED		MAW
CHECKED		JAV
PROJECT #		

SHEET TITLE
COVER SHEET
SHEET NUMBER

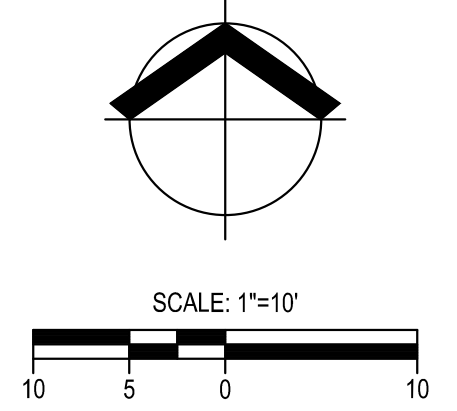
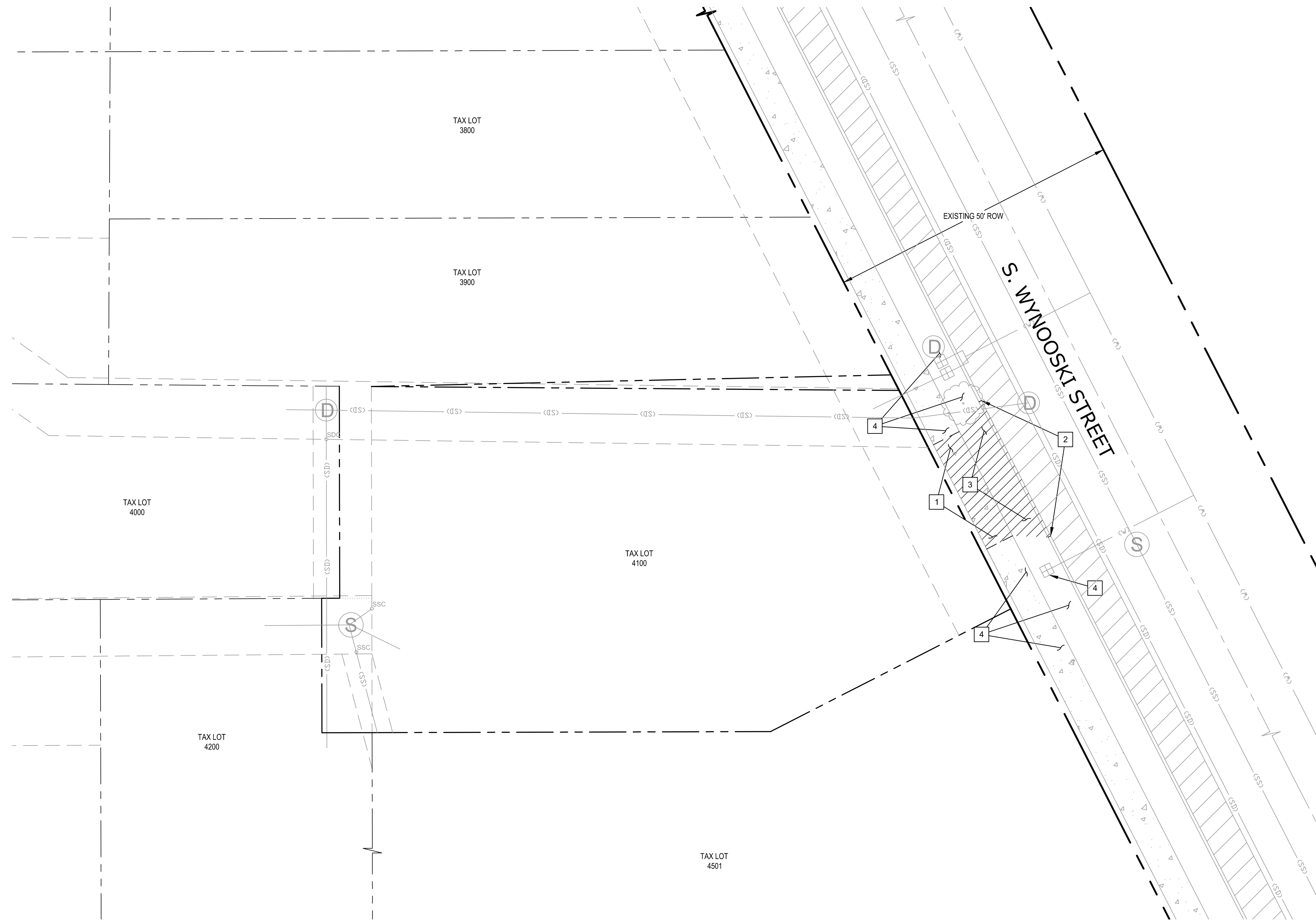
C0.0

LAND USE #

COVER SHEET
523 S. WYNOOSKI ST PARTITION
SOUTH PARK LLC
NEWBERG, OR

Cardno
PORTLAND
6720 SW MACADAM AVE. STE 200, PORTLAND, OR 97219
TEL: (503) 419-2500 FAX: (503) 419-2600 www.cardno.com

Plot Stamp: 2/5/2020 4:07:54 PM - Mary Wisser
File: J:\PRC\MC-JOB\SI\Vanderdasson\Del Boca Vista\South Park\CAD\Civil_DD\XXXX-DD-COVER.dwg, Tab: C0.0



EXISTING LEGEND

- RIGHT OF WAY LINE
- ADJACENT LOT LINE
- LOT LINE OF SUBJECT PROPERTY
- EASEMENT LINE
- CURB
- CENTER LINE
- STORM DRAIN LINE - LOCATION ASSUMED
- SANITARY SEWER LINE - LOCATION ASSUMED
- WATER LINE - LOCATION ASSUMED
- CONCRETE
- BIKE LANE
- AREA TO BE DEMOLISHED
- SANITARY MANHOLE
- STORM MANHOLE
- WATER METER
- SANITARY CLEANOUT
- STORM CLEANOUT
- STREET TREE

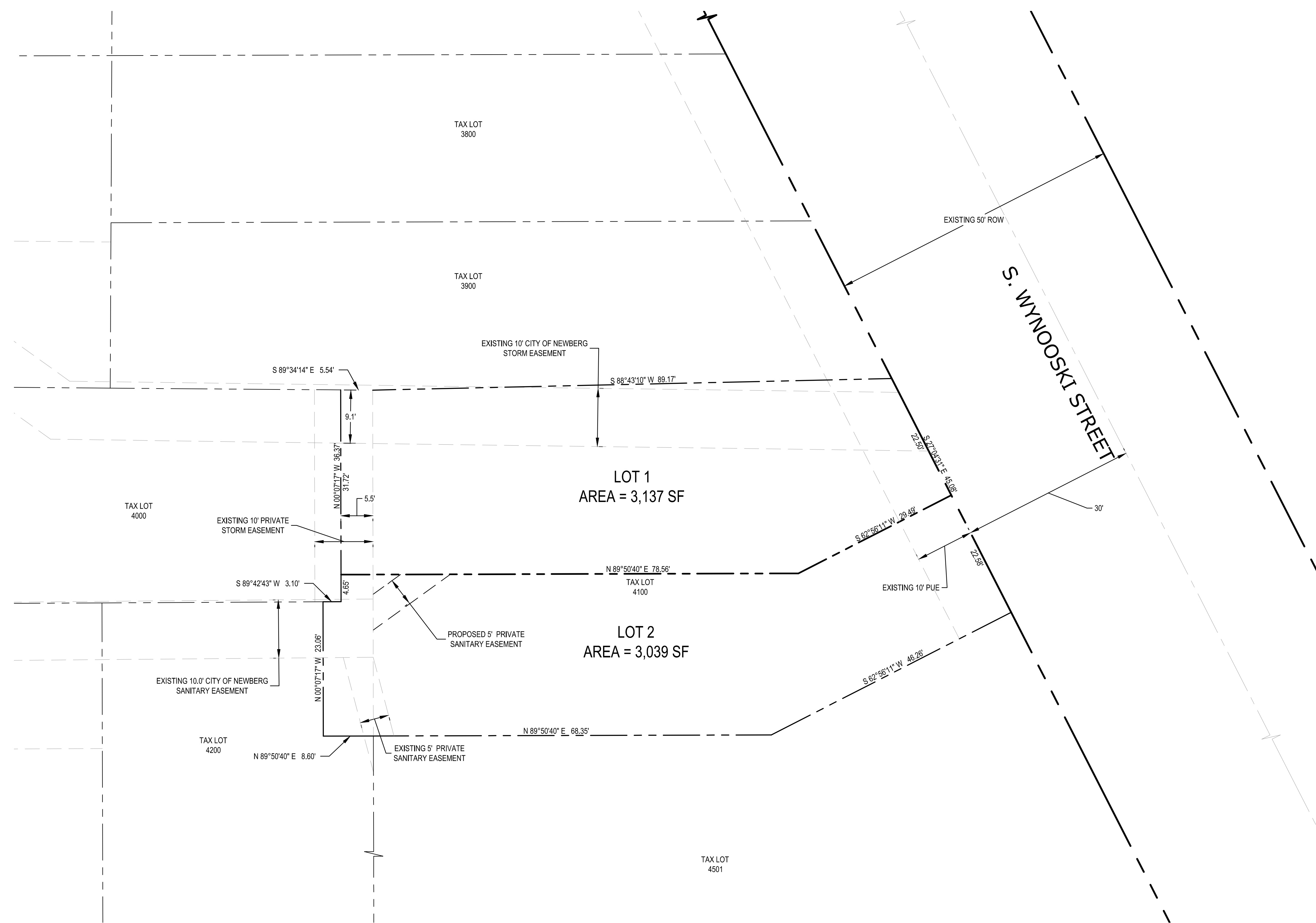
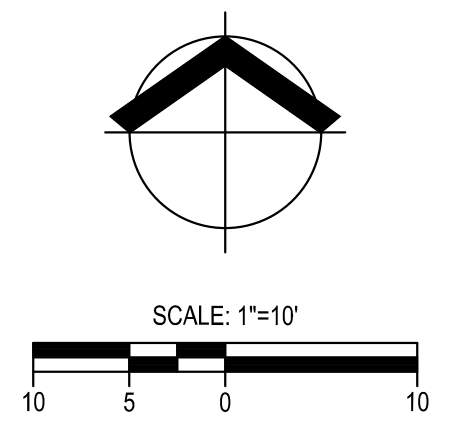
DEMOLITION NOTES

- 1** SAWCUT AND REMOVE EXISTING SIDEWALK.
- 2** SAWCUT AND REMOVE EXISTING CURB.
- 3** REMOVE EXISTING LANDSCAPING.
- 4** PRESERVE AND PROTECT EXISTING SIDEWALK, UTILITIES, TREES AND LANDSCAPING.

EXISTING CONDITIONS AND DEMO PLAN
523 S. WYNOOSKI ST PARTITION
 SOUTH PARK LLC
 NEWBERG, OR

#	DATE	DESCRIPTION	BY

DATE	02/05/2020
DRAWN	MAW
DESIGNED	MAW
CHECKED	JAV
PROJECT #	
SHEET TITLE	
EXCOND & DEMO PLAN	
SHEET NUMBER	
C1.0	
LAND USE #	



- EXISTING LEGEND**
- RIGHT OF WAY LINE
 - ADJACENT LOT LINE
 - LOT LINE OF SUBJECT PROPERTY
 - EASEMENT LINE
 - CENTER LINE
- PROPOSED LEGEND**
- LOT LINE

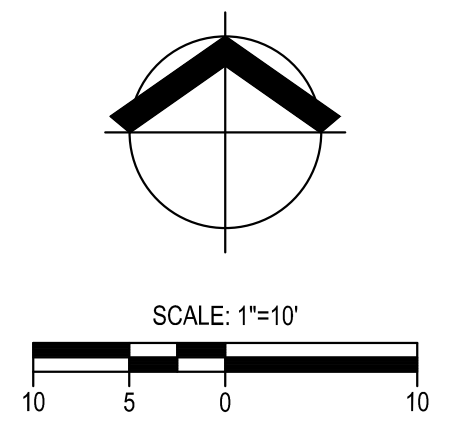
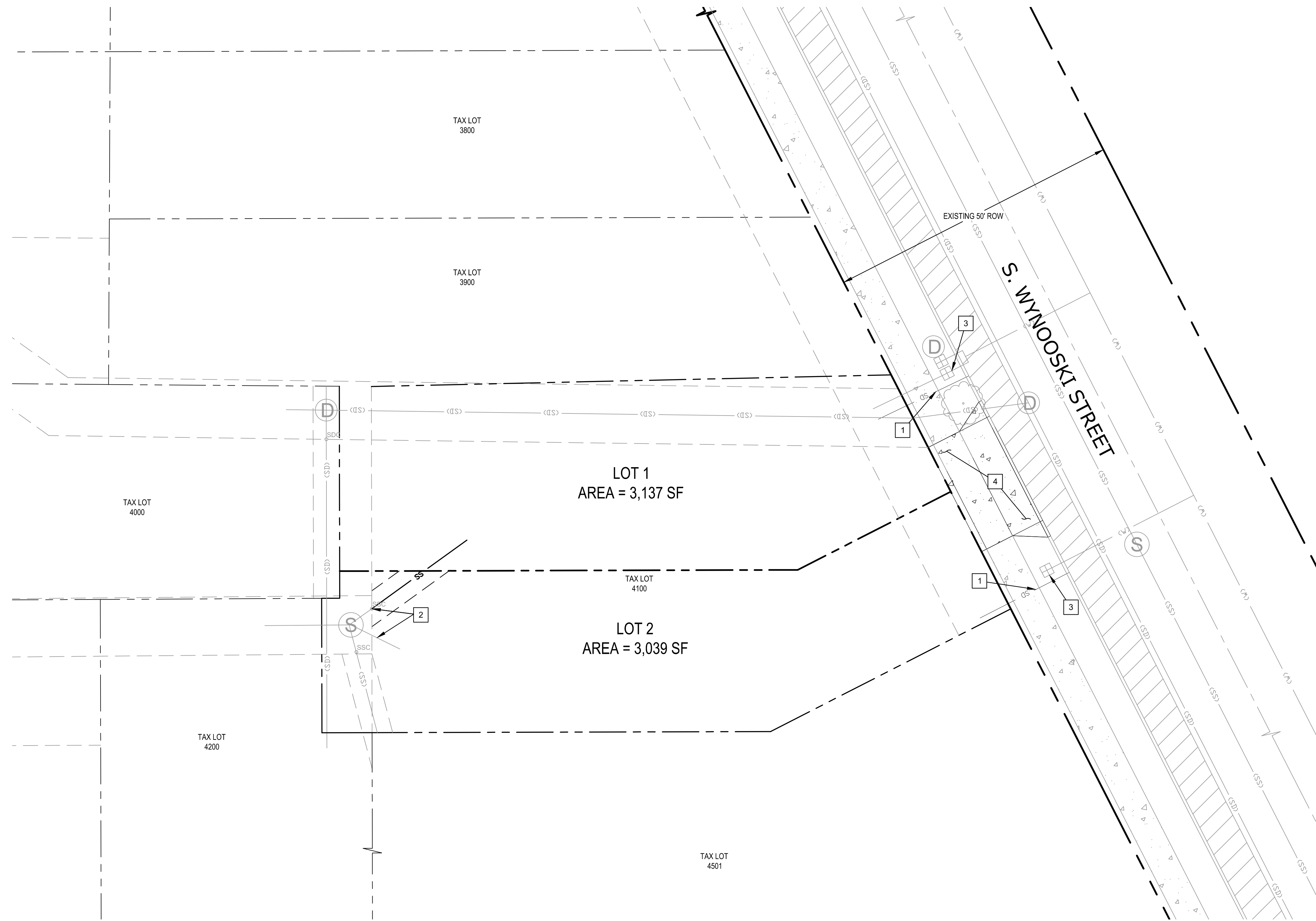
SETBACK TABLE

ZONE R-2	
MIN. LOT SIZE	3,000 SF
MIN. FRONT YARD	15 FT
MIN. FRONT YARD TO GARAGE	20 FT
MIN. INTERIOR SIDE YARD	5 FT
MIN. REAR YARD	5 FT

PRELIMINARY PARTITION PLAT
523 S. WYNOOSKI ST PARTITION
SOUTH PARK LLC
NEWBERG, OR

#	DATE	DESCRIPTION	BY

DATE	02/05/2020
DRAWN	MAW
DESIGNED	MAW
CHECKED	JAV
PROJECT #	
SHEET TITLE	
PRELIM. PARTITION PLAT	
SHEET NUMBER	
C2.0	
LAND USE #	



EXISTING LEGEND

- RIGHT OF WAY LINE
- ADJACENT LOT LINE
- LOT LINE OF SUBJECT PROPERTY
- EASEMENT LINE
- CURB
- CENTER LINE
- (SD) - STORM DRAIN LINE - LOCATION ASSUMED
- (SS) - SANITARY SEWER LINE - LOCATION ASSUMED
- (W) - WATER LINE - LOCATION ASSUMED
- CONCRETE
- BIKE LANE
- (S) - SANITARY MANHOLE
- (D) - STORM MANHOLE
- (M) - WATER METER
- (SC) - SANITARY CLEANOUT
- (SC) - STORM CLEANOUT
- (T) - STREET TREE

PROPOSED LEGEND

- LOT LINE
- FACE OF CURB
- SD - STORM DRAIN LINE
- SS - SANITARY SEWER LINE
- CONCRETE

PROPOSED SITE NOTES

- 1 PROPOSED 4" STORM LATERAL (FACE OF CURB DRAIN).
- 2 CONNECT TO EXISTING SANITARY SEWER LATERAL.
- 3 EXISTING WATER METER SERVICES.
- 4 PROPOSED 20' SHARED DRIVEWAY WITH 3' WINGS.

SITE AND UTILITY PLAN

523 S. WYNOOSKI ST PARTITION
SOUTH PARK LLC
NEWBERG, OR

#	DATE	DESCRIPTION	BY

DATE	02/05/2020
DRAWN	MAW
DESIGNED	MAW
CHECKED	JAV
PROJECT #	
SHEET TITLE	
SITE & UTILITY PLAN	
SHEET NUMBER	
C3.0	
LAND USE #	

MEMORANDUM



To: City of Newberg
Planning Department

From: Jeff Vanderdasson
Principal

Date: January 6, 2020

Project: South Park Lot 13 Partition

Re: Impervious Area Analysis

6720 SW Macadam Ave.
Suite 200
Portland, OR 97219

Phone (503) 419-2500
Fax (503) 419-2600

www.cardno.com

This Application proposes a 2-Parcel Partition of Lot 13 of the South Park Newberg Subdivision (SUB217-0004). As addressed via the South Park Newberg Subdivision Land Use submittal, prior to the development of the subject property there was 43,084 SF of existing impervious area located on the subject property. As per *Section 4.6.1.II* of the City's *Design & Construction Standards*, impervious area associated with single-family lots may be estimated at a rate of 2,877 SF of impervious area per dwelling. Following approval of the proposed partition, the South Park Newberg Subdivision will include a total of 14 single-family detached dwellings. Therefore, the total impervious area created by the South Park Newberg Subdivision will be 40,278 SF (14-dwellings x 2,877 SF).

Furthermore, as per *Section 4.6.1.II* "stormwater quality and quantity facilities shall be sized for all net impervious area created by the subdivision". As per *Section 1.6* net impervious area is defined as "The increase in impervious area on a property after a project is completed." As the proposed improvements to due not constitute more than 43,084 SF (the existing impervious area on the subject property prior to development), there will be no increase in impervious area on the subject property following completion of development, thereby no stormwater quality or quantity facilities are warranted or proposed.



Renews 6/30/20



Community Development Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132

503-537-1240. Fax 503-537-1272 www.newbergoregon.gov

WE WANT YOUR COMMENTS ON A PROPOSED NEW DEVELOPMENT IN YOUR NEIGHBORHOOD

A property owner in your neighborhood submitted an application to the City of Newberg to subdivide a parcel of land from *one lot into two lots* separate lots. You are invited to take part in the City's review of this project by sending in your written comments. You also may request that the Planning Commission hold a hearing on the application. The applicable criteria used to make a decision on this application for preliminary subdivision plan approval are found in Newberg Development Code 15.235.050(A). For more details about giving comments, please see the back of this sheet.

The application would create *two* lots: Parcel 1 will be 3,137 SF, and Parcel 2 will be 3,039 SF. Both proposed lots will take access off of S. Wynooski St. There is no proposed construction or demolition associated with this Land Use Application.

APPLICANT: *Del Boca Vista LLC*
TELEPHONE: *971-706-2058*

PROPERTY OWNER: *South Park LLC*
LOCATION: *523 S Wynooski Street*

TAX LOT NUMBER: *R3220BD/04100*



Working Together For A Better Community-Serious About Service"

N:\ACTIVE PROJECTS\South Park\Land Development\1 - Entitlements\Land Use Applications\Partition Lot 13\Notices\Notice Mailer.doc

We are mailing you information about this project because you own land within 500 feet of the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed. You also may request that the Newberg Planning Commission hold a hearing on the application by sending a written request during this 14-day period and identifying the issues you would like the Planning Commission to address. If you mail your comments to the City, please put the following information on the outside of the envelope:

Written Comments: File No. XXXXX
City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

All written comments must be turned in by 4:30 p.m. on *enter date two weeks from date you mailed notice*. Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for preliminary subdivision plan approval are found in Newberg Development Code 15.235.050(A).

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E. First Street. You can also buy copies of the information for a cost of 25 cents a page. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240. The Community Development Director will make a decision at the end of a 14-day comment period. If you send in written comments about this project, you will be sent information about any decision made by the City relating to this project.

Date Mailed: XXXX

POSTED NOTICE

Land Use Notice

FILE #

PROPOSAL: Partition 523 S. Wynooski St. Into Two Lots

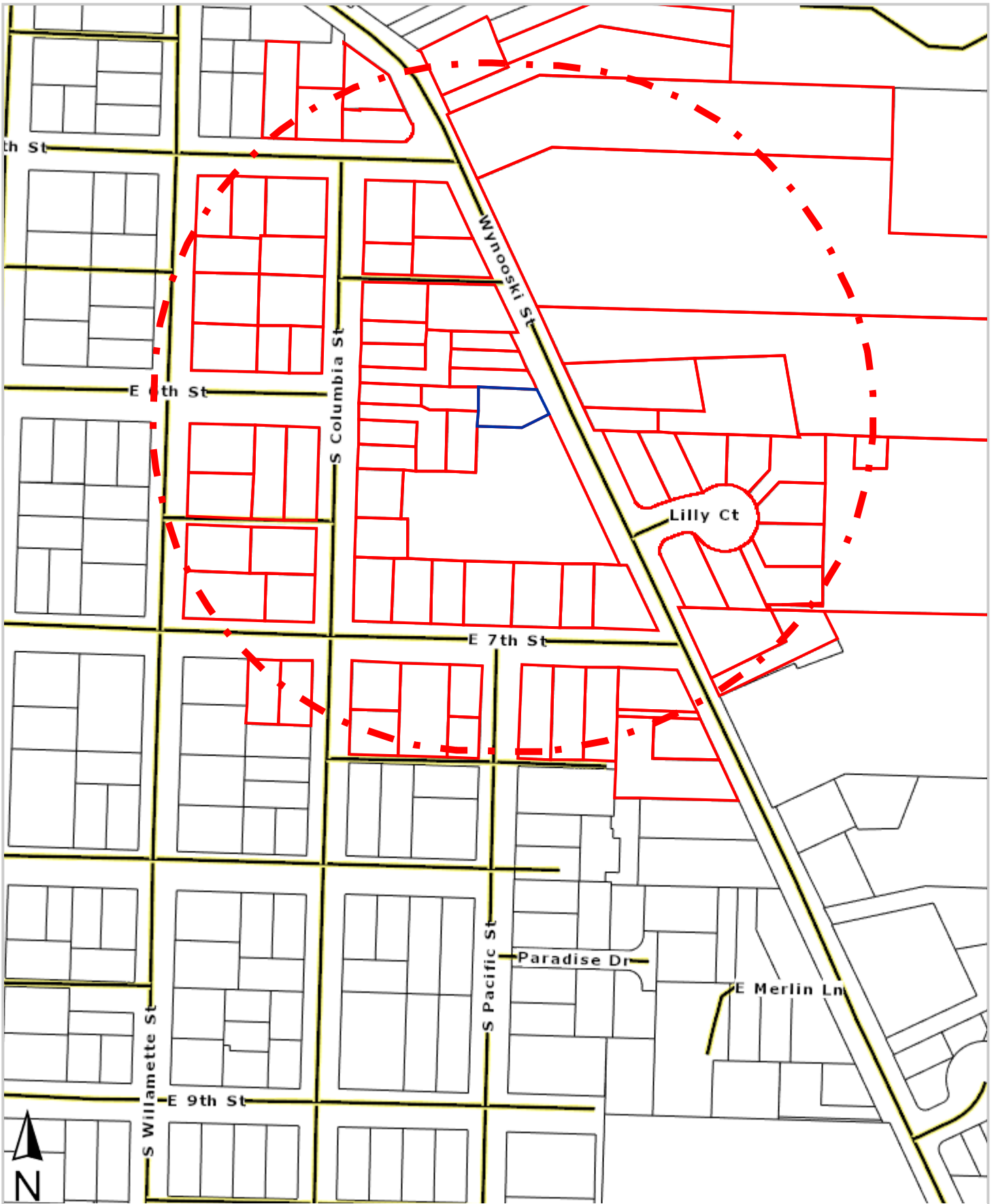
FOR FURTHER INFORMATION, CONTACT:

City of Newberg
Community Development Department
414 E First Street
Phone: 503-537-1240

3'

2'

Notice must be white with black letters, and must be landscape orientation, as shown above.
The notice must be lettered using block printing or a "sans-serif" font, such as Arial.



First American Title™

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, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

FRANK ROBINSON
434 WYNOOSKI ST
NEWBERG OR 97132

KAREN MOORE
520 WYNOOSKI ST
NEWBERG OR 97132

JANICE ALEXANDER
1401 E 5TH ST
NEWBERG OR 97132

LAN W KEUSINK
436 S WYNOOSKI ST
NEWBERG OR 97132

THERESA PFAFFLE-THOMPSON
438 WYNOOSKI ST
NEWBERG OR 97132

GRIJALVA FAMILY TRUST
857 CLAY ST
ASHLAND OR 97520

DANIEL ROACH
PO BOX 21413
KEIZER OR 97307

ROBERT COLLINS
1308 E 5TH ST
NEWBERG OR 97132

MARK TOMPKINS
1607 LILLY CT
NEWBERG OR 97132

ZACHARY ROBERTS
1615 LILLY CT
NEWBERG OR 97132

KATHERINE HEINECKE
1621 LILLY CT
NEWBERG OR 97132

DINNY GRONICH
1627 LILLY CT
NEWBERG OR 97132

SUSAN O'DONNELL
1630 LILLY CT
NEWBERG OR 97132

ERICA LEBLANC
1624 LILLY CT
NEWBERG OR 97132

DANIEL CARPENTER
1616 LILLY CT
NEWBERG OR 97132

ALFREDO CAMACHO
1608 LILLY CT
NEWBERG OR 97132

KEVIN SANDS
1600 LILLY CT
NEWBERG OR 97132

HARDING SCHOOL LLC
2201 NE CHEHALEM DR
NEWBERG OR 97132

MADILYN BANUG
608 S COLUMBIA ST
NEWBERG OR 97132

GREGORY THOMPSON
614 S COLUMBIA ST
NEWBERG OR 97132

MALLOY JODI M & SEAN A
TRUSTEES FOR
PO BOX 895
SISTERS OR 97759

FREDERICK LABONTE
1514 E 7TH ST
NEWBERG OR 97132

NEWBERG CITY OF
401 E 3RD ST
NEWBERG OR 97132

ALITA OSTAPKOVICH
701 S PACIFIC ST
NEWBERG OR 97132

NEWBERG CITY OF
535 NE 5TH ST
MCMINNVILLE OR 97128

STEPHEN ROSENBERGER
712 WYNOOSKI ST
NEWBERG OR 97132

MATTHEW ROSS
1601 LILLY CT
NEWBERG OR 97132

TOMAS MCCOMB
700 WYNOOSKI ST
NEWBERG OR 97132

GERALD BALES
PO BOX 752
NEWBERG OR 97132

JOHN MAIDHOF
1307 E 5TH ST
NEWBERG OR 97132

MICHAEL MALONE
1315 E 5TH ST
NEWBERG OR 97132

RICHARD PHILLIPS
435 WYNOOSKI ST
NEWBERG OR 97132

ANDREW JOHNSON
1314 E 5TH ST
NEWBERG OR 97132

BRANDON CASE
511 S COLUMBIA ST
NEWBERG OR 97132

STEVE WILSON
1315 E 6TH ST
NEWBERG OR 97132

ALVIN MCKAY
26103 STARLITE WAY
SAN ANTONIO TX 78260

TIMOTHY WILLIAMSON
520 S WILLAMETTE ST
NEWBERG OR 97132

CHARLES CELESTINE
514 S WILLAMETTE ST
NEWBERG OR 97132

JOHN HEADRICK
1300 E 5TH ST
NEWBERG OR 97132

BUCKHOLTZ KIMBERLEE
561 SE MAPLE ST
DUNDEE OR 97115

ANGELA SINGLETON
707 WYNOOSKI ST
NEWBERG OR 97132

FREDERICK LABONTE
1514 E 7TH ST
NEWBERG OR 97132

JOSEPH SEDAGHATY
1508 E 7TH ST
NEWBERG OR 97132

COLLING NEWBERG PROPERTIES
13835 SW HALL BLVD
TIGARD OR 97223

NICHOLAS MIRAMONTES
700 S PACIFIC ST
NEWBERG OR 97132

COLTON SORENSEN
704 S COLUMBIA ST
NEWBERG OR 97132

NABOR PEREDA
615 N MERIDIAN ST
NEWBERG OR 97132

BONIFACIO GOMEZ
1408 E 7TH ST
NEWBERG OR 97132

MELVIN DEPUY
1414 3 7TH ST
NEWBERG OR 97132

GARY TANDY
1401 E 7TH ST
NEWBERG OR 97132

RANDALL STEPHENSON
1413 E 7TH ST
NEWBERG OR 97132

RAYMOND QUINTANA
1415 E 7TH ST
NEWBERG OR 97132

ELLIOTT CIOTA
1501 E 7TH ST
NEWBERG OR 97132

JOHN MORRIS
1507 E 7TH ST
NEWBERG OR 97132

ERNEST YODER
619 WYNOOSKI ST
NEWBERG OR 97132

GLORIA LAWRENCE
1310 E 6TH ST
NEWBERG OR 97132

EDWARD BUCK
444 WYNOOSKI ST
NEWBERG OR 97132

RICHARD BELLISARIO
500 WYNOOSKI ST
NEWBERG OR 97132

PAUL MCCOLM
1314 E 6TH ST
NEWBERG OR 97132

JAY HOLBOKE
518 WYNOOSKI ST
NEWBERG OR 97132

JASON DELP
611 S COLUMBIA ST
NEWBERG OR 97132

DANIEL SCHNEIDER
600 WYNOOSKI ST
NEWBERG OR 97132

ELISABETH HANEY
621 S COLUMBIA ST
NEWBERG OR 97132

DAVID HEIKKINEN
513 WYNOOSKI ST
NEWBERG OR 97132

DONN WETMORE
620 S WILLAMETTE ST
NEWBERG OR 97132

AMY FERGUSON
507 WYNOOSKI ST
NEWBERG OR 97132

FIDEL MONTOYA
614 S WILLAMETTE ST
NEWBERG OR 97132

PAUL ROTH
500 WYNOOSKI ST
NEWBERG OR 97132

BRETT ANDERSON
610 S WILLAMETTE ST
NEWBERG OR 97132

MARY SHROLL
1402 E 5TH ST
NEWBERG OR 97132

SELENA TABSCOTT
600 S WILLAMETTE ST
NEWBERG OR 97132

STEVEN HARDGROVE
510 S COLUMBIA ST
NEWBERG OR 97132

KRISTJANA ALEXANDER
512 S COLUMBIA ST
NEWBERG OR 97132

LILLIAN LITFIN
1314 E 7TH ST
NEWBERG OR 97132

MARK TROLLINGER
1306 E 7TH ST
NEWBERG OR 97132

KYLE F WHITE
602 S COLUMBIA ST
NEWBERG OR 97132

MEHRIANNA NICHOLSON
604 S COLUMBIA ST
NEWBERG OR 97132