

**NOTICE OF DECISION**  
**ROURKE DEVELOPMENT SUBDSIVISION TENTATIVE PLAN – SUB221-0003**

December 30, 2021

AKS Engineering & Forestry, LLC  
12965 SW Herman Road, Suite 100  
Tualatin, OR 97062

Dear Mr. Southerland,

The Newberg Community Development Director has approved the proposed tentative plan SUB221-0003 for a twelve (12) lot subdivision for the Rourke Development Subdivision, tax lot R3208 02900 subject to the conditions listed in the attached report. The decision will become final and effective on January 14, 2022, unless and appeal is filed.

All persons entitled to notice or anyone providing written comments within 14 calendar days prior to the date of the decision may appeal the decision to the Newberg Planning Commission in accordance with Newberg Development Code 15.100.170. All appeals must be in writing on a form provided by the Planning Division. Anyone wishing to appeal must submit the written appeal form together with the required fee of \$550.20 to the Planning Division within 14 days of the date of this decision.

**The deadline for filing an appeal is 4:30 on January 13, 2022.**

At the conclusion of the appeal period, please remove all notices from the site.

In order to fully complete the subdivision process, the applicant must meet all conditions of the tentative plan approval and file a final subdivision plat application with the Planning Division. The final subdivision plat must be recorded within two (2) years of the effective date noted above. If you are approaching the expiration date, please contact the Planning Division regarding extension opportunities.

If you have any questions, please contact me at 503-544-7768 or [ashley.smith@newbergoregon.gov](mailto:ashley.smith@newbergoregon.gov).

Sincerely,

A handwritten signature in blue ink that reads "Ashley Smith".

Ashley Smith  
Assistant Planner  
City of Newberg  
Pronouns: she/her/hers

**DECISION AND FINDINGS**  
**4016 N COLLEGE STREET SUBDIVISION – TENTATIVE PLAN – SUB221-0003**

FILE NO: SUB221-0003

REQUEST: Subdivide a 2.16 acre property into 12 lots for single-family homes

LOCATION: 4016 N College Street

TAX LOT: R3208 02900

PROPERTY SIZE: 2.16 acres

APPLICANT: Rourke Development, LLC.

OWNER: Bill Rourke

ZONE: R-1 (Low Density Residential)

PLAN DISTRICT: LDR (Low Density Residential)

OVERLAY: Marijuana Exclusion Zone

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**ATTACHMENTS:**

Section I: Application Information

Section II: Findings

Section III: Conditions

Attachments:

1. Tentative Plat
2. Application
3. Agency Comments
4. Public Comments

## Section I: Application Information

**A. DESCRIPTION OF APPLICATION:** The applicant is requesting preliminary plat approval for a 12-lot subdivision of an existing 2.16-acre property addressed as 4016 N College Street. The applicant anticipates future construction of detached single-family homes on each of the proposed lots, including dedication and improvement of a street to serve the subdivision, stormwater facility, and other utility improvements. The property is zoned R-1.

**B. SITE INFORMATION:**

1. Location: 4016 N College Street; East of N College Street/ Oregon Route 219 (OR 219)/Hillsboro-Silverton Highway No. 140, South of NE Bell Rd.



2. Size: ±2.16 acres
3. Topography: The northern portion of the property is flat and the southern two-thirds has a gradual incline from the northwest to the southeast.
4. Current Land Uses: Single Family Dwelling

5. Natural Features: Groundcover and trees associated with existing house
6. Adjacent Land Uses:
  - a. North: Public – Quasi Public (North Valley Friends Church)
  - b. East: Public – Quasi Public (North Valley Friends Church)
  - c. South: Low Residential Density with Specific Plan (The Summit at Oak Knoll No. 3 Subdivision)
  - d. West: Low Residential Density (outside of city limits, with Urban Renewal Area)
7. Zoning:
  - a. North: Institutional
  - b. East: Institutional
  - c. South: R-1/SP (Low Density Residential with Specific Plan)
  - d. West: City Limits and Urban Renewal Area
8. Access to the proposed development is provided from N College Street, which is OR 219, an Oregon Department of Transportation (ODOT) facility. It is classified as a minor arterial.
9. Utilities:
  - a. Water: An as-built for the water line in N College Street does not exist. An 8-inch water line was constructed by Veritas School in 2015. An advance financing agreement is in place. The project site owners provided an easement as payment and have no further obligation. Fire flow testing will be required to verify adequate water supply is available to the property. Construction of the Bell West Pump Station is anticipated to go to construction in early 2022.
  - b. Wastewater: An as-built for the wastewater line in N College Street does not exist. A 10-inch wastewater line was constructed by Veritas School in 2015. An advance financing agreement is in place. The project site owners provided an easement as payment and have no further obligation. Once connected to the City’s wastewater system, the applicant will be required to decommission the existing septic system.
  - c. Stormwater: Limited information is available about public stormwater utilities in the project area vicinity.
  - d. Overhead lines: Any new connection the property will need to be undergrounded. See NMC 15.430.010 for exception provisions.

**C. PROCESS:** This subdivision application is a Type II application per Newberg Municipal Code 15.100.030. Following a 14-day public comment period, the Community Development Director decides on the application based on the criteria listed in the attached findings. The Director’s decision is final unless appealed. Important dates related to this application are as follows:

11/02/2021: The Community Development Director deemed the application complete.

11/05/2021: The applicant mailed notice to the property owners within 500 feet of the site.

11/05/2021: The applicant posted notice on the site.

11/19/2021: The 14-day public comment period ended.

12/30/2021: The Director issued a decision on the application.

**D. AGENCY COMMENTS:** The application was routed to several public agencies for review and comment. Comments and recommendations from City departments have been incorporated into the findings and conditions. As of the writing of this report the city received the following agency comments:

Building Official: Reviewed, no conflict.

Director of Public Works: Reviewed, no conflict. Comment: All public utility plans including ROW shall be reviewed and approved by City of Newberg Engineering prior to commencement of construction. Proper permits shall be issued before permit required work can begin. (Attachment 3.)

Public Works, Maintenance Superintendent: Reviewed, no conflict.

Public Work, Waste Water Plant: Reviewed, no conflict.

Newberg City Manager: Reviewed, no conflict.

Finance: Reviewed, no conflict. Comment: No city lien.

Police Department: Reviewed, no conflict.

Ziply Fiber: Reviewed, no conflict.

Department of State Lands: Department of State Lands (DSL) provided comment regarding the potential development impacts on the wetland that was informally delineated on the proposed subdivision site plans. DSL noted that the wetland has not been reviewed per OAR 141-090-0035. DSL is recommending that review take place and once completed, submitted to their office so proper permits can be determined and obtained based on review findings. They further state, "Moving forward without the approved delineation may lead to a DSL enforcement action".

Tualatin Valley Fire and Rescue:

Dear Doug,

Thank you for the opportunity to review the proposed site plan surrounding the above-named development project. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval:

**1. FIREFIGHTING WATER SUPPLY FOR INDIVIDUAL ONE- AND TWO-FAMILY DWELLINGS:** The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B. (OFC B105.2)

**2. FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

### 3. FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY

**STRUCTURES:** Where the most remote portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1)

If you have questions or need further clarification or would like to discuss any alternate methods and/or materials, please feel free to contact me at (503)259-1409.

Sincerely,

Ty Darby

Deputy Fire Marshal I

**E. PUBLIC COMMENTS:** As of the writing of this report, the City has received three written comments on the application. The following summarizes the concerns and provides a response to the concerns. All public comments in their entirety are included in Attachment 4.

1. Bryan Lynch, Headmaster for Veritas School – Mr. Lynch expresses several concerns regarding the storm water control, mediation of flooding, potential erosion, and how all of these may impact the Veritas School property located to the south of 4016 N College Street. Mr. Lynch further expressed concerns regarding the capacity of the Oak Knoll Pump Station and the ability to support a 12-lot subdivision.

**Response:** Paul Sellke of AKS Engineering & Forestry, LLC, the applicant’s consultant, thoroughly responded to Mr. Lynch’s letter. This section is a summary of that response which the City concurs with.

To address potential stormwater runoff, AKS prepared a preliminary stormwater report showing how this runoff will be managed. This report was entered as Exhibit G in the application package. The report states that “no increase in peak volumes is directed to the downstream properties such as those owned by Veritas School”. Stormwater from Veritas School will continue to be directed to the 18-inch culvert beneath N. College Street through the Rourke property. Stormwater from the subdivision will be directed to the proposed Tract A Stormwater Facility that will be managed by the City of Newberg. Final plans and calculations for the stormwater facility will be provided during the public improvement permitting stage.

In the response, AKS also detailed how flooding on Veritas School property will not be of concern. Noting that the City of Newberg Stormwater Master plan identifies areas of flooding to be downstream approximately 500 feet to the southwest of Veritas School property and approximately 900 feet from the Rourke Development site.

Lastly, the question of the Oak Knoll Pump Station capacity was alleviated by sharing findings of a fire flow test performed in August 2020 demonstrating that the station and adjacent water system are adequate for the proposed subdivision. In addition, the response highlights future public infrastructure improvements to the area with the creation of the Bell Road Pump Station, stating, “Construction of this pump station, currently scheduled to begin service in 2023, would improve water capacity for fire service demand and expand water service in North Newberg”. It was also noted that Veritas School, North Valley Friends Church, and Bill Rourke, all signed a Memorandum of Understanding regarding the Oak Knoll Pump Stations capacity and requirements for additional connections.

On December 21, 2021, the City of Newberg received a letter from Mr. Lynch. This letter was in response to AKS addressing Mr. Lynch's initial public comment. Mr. Lynch stated that "Veritas School is currently satisfied to have the City move forward on the Rourke Development proposal". He concluded by inviting the opportunity to continually participate in the review of this project due to the proximity of Veritas School.

2. Kyle Mesneak – Mr. Mesneak brought concerns forward regarding how this development would change the character of the neighborhood, decrease pedestrian safety (specifically to nearby schools), bring construction noise, and loss of greenspace.

**Response:** Mr. Mesneak brings forward valid concerns and we appreciate his interest and participation in this public process. Regarding his first concern that the subdivision will change the character of the neighborhood we have findings to support the alternative. The proposed subdivision is in zone R-1, the lowest housing density zone the code contains. To the direct south of Rourke property is The Summit at Oak Knoll Subdivision consisting of 40 single-family homes in the R-1 Zone. To the north and the east, is property owned by a single entity, the North Valley Friends Church. The North Valley Friends Church did not provide any comment on this proposed development. Finally, to the west, is Hwy 219 dividing the Rourke property and the land within the Urban Growth Boundary planned for Low Density Residential development. This shows that while the area may visually change due this development, this is a land use practice that meets the requirements of the zone and matches other nearby property uses.

Pedestrian safety was mentioned in Mr. Mesneak's concerns. The City also recognizes the importance of pedestrian safety and through this process will ensure the development is meeting the standards within NMC 15.500 Public Improvements. Part of these improvements will strengthen the existing pedestrian conditions along N College Street by installing a 6-foot-wide sidewalk, a 5.5 planter strip to buffer pedestrians from the street, street lighting, and vision clearance triangles to ensure safety at the newly developed intersection. The plan also calls for a Right-of-Way dedication to accommodate for a bicycle lane installation that will accompany future City improvements along N College Street. The subdivision will contain a cul-de-sac, not a through street. A traffic study performed by the applicant's consultant showed the proposed increase of vehicle trips is below the threshold for this street type. All street improvements will be finalized through the public improvement permitting process.

Mr. Mesneak also expected the negative impact of construction noise to the area. The City recognizes noise pollution as a legitimate concern but also is required to recognize the current housing needs our community is faced with. Per Newberg Municipal Code 8.15.150(3)(j) construction work is allowed to occur between the hours of 7:00 am and 7:00 pm, weekdays. This is with anticipation to be the least impactful to neighbors while still allowing work to be completed in a timely manner. There may be rare exceptions when a permit to work outside those hours is granted for public health or safety. Any community member is welcome to submit complaints to our code enforcement department if these hours of operations are not being honored by hired contractors.

Lastly, with regards to loss of greenspace. The City recognizes the importance of preserving our natural world while creating our built environment. To ensure that the citizens of Newberg have access to greenspaces the City is actively working with Chehalem Parks and Recreation District to meet the required acres of parks. Currently the city is below that mark, however, there was never any discussion that the Rourke property would have been converted to park land.

- F. ANALYSIS:** The property is zoned R-1, where the minimum lot size is 5,000 square feet and lot size averaging is permitted. The proposed subdivision would create twelve lots that meet the average lot size standards and other standards for lot dimensions. The application also includes frontage improvements to N College Street and the creation of a 11,080 square foot stormwater facility that would be owned and maintained by the City of Newberg.



**Section II: Findings – File SUB221-0002  
4016 N College Street Subdivision Tentative Plan**

These findings are based on review of the following approval criteria as outlined in NMC Division 15.200 Land Use Applications Chapter 15.235 LAND DIVISIONS:

**15.200 Land Use Applications**

**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;**

**Finding:** The application included all the required submittal elements and follows the proper process and public notice requirements for a subdivision.

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

**Finding:** Compliance with provisions of NMC 15.400, Development Standards, are addressed in detail below.

**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 15.500 Public Improvement Standards;**

**Finding:** Compliance with provisions of NMC 15.400, Development Standards, are addressed in detail below.

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

**Finding:** The applicant states the name “Rourke Development”, which will be used for this plat, has been reserved through the Yamhill County Surveyor’s Office.

**5. The proposed streets, utilities, and stormwater facilities are adequate to serve the proposed development at adopted level of service standards, conform to the 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;**

**Finding:** The proposed plans will meet the above criteria when the conditions of approval detailed in the NMC Chapter 15 section of this staff report are met and final plans that comply with the Newberg Public Works Design and Construction Standards are submitted and approved.

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.*

**Finding:** The applicant has shown on the preliminary plat the stormwater facility that will be in a private common area, Tract A. The areas maintenance agreements will need to be recorded and accompany future development submittals.

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

**Finding:** The application materials indicate that there is a wetland at the northwest portion of the site. A delineation was not submitted. Per a request from DSL, the city submitted a Wetland Land Use Notice (WLUN) to clarify any regulatory issues. DSL provided a Wetland Land Use Notice Response. See Agency Comments. A wetland delineation will be required in accordance with State and/or Federal requirements. The applicant is required to comply with State and/or Federal permitting related to wetlands. The applicant is to provide copies of any State and/or Federal permits related to the onsite wetlands and show compliance with any State and/or Federal permits, or provide documentation from State and/or Federal agencies that wetland/waters of the state related permits are not required, prior to issuance of permits from the City of Newberg.

The criterion will be met if the aforementioned condition of approval is adhered to.

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.*

#### *15.220.030 Site design review requirements.*

*14. Traffic Study. A traffic study shall be submitted for any project that generates in excess of 40 trips per p.m. peak hour. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the director for projects below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards. [Ord. 2619, 5-16-05; Ord. 2451, 12-2-96. Code 2001 § 151.192.]*

**Finding:** The proposed development is a 12-lot subdivision. Because the development will be sending trips through the OR219-N College Street/Foothills Drive intersection, the city requested that

the applicant prepare a trip generation/distribution memo to determine how many trips from this development would be going through the intersection. The applicant included a study prepared by Jennifer Denziger, PE from Lancaster Mobly in their application. The study calculated three trips in the morning peak, four trips in the evening peak, and 52 daily trips would travel through the OR219-N College Street/Foothills Drive intersection. The City has used the applicant's traffic memo and a previous traffic count (November 2018) done at the intersection to determine a Traffic Impact Fee based on proportionality. The previous traffic count indicates 964 trips in the AM peak and 1111 trips in the PM peak period.

Project I02 in the City's 2016 Transportation System Plan (TSP) calls for intersection control upgrades at the E Foothills Drive/OR219-N College Street intersection with an estimated cost of \$825,000 (2016 dollars). The applicants submitted traffic memo study notes that 3 trips are being added to the intersection of E Foothills Drive/OR219-N College Street as a direct result of the development in the AM and that 4 trips are being added to the intersection in the PM peak hours. A Traffic Impact Fee was developed to capture the proportional impact of the development on public facilities and services.

The applicant shall pay a proportional cost for the traffic control upgrade to the City of Newberg for the number of trips being added to the E Foothills Drive/OR219-N College Street intersection as a direct result of the development. The most severe impact to the operation of the intersection occurs during the PM peak period. The following formula was used to develop a Traffic Impact Fee to capture the proportional impact of the development:

$$\frac{(4 \text{ PM trips directly proportional to the development})}{(1111 \text{ PM peak hour total trips through the intersection})} * (\$825,000 \text{ for the TSP cost of an intersection upgrade}) = \$2,970 \text{ Traffic Impact Fee}$$

The criterion will be met if the aforementioned condition of approval is adhered to.

## **Division 15.400 DEVELOPMENT STANDARDS**

### ***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:*
- 1.** *In the R-1 district, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict. The average size of lots in a subdivision intended for a single family dwelling development shall not exceed 10,000 square feet.*
- B.** *Lot or Development Site Area per Dwelling Unit.*
- 1.** *In the R-1 district, there shall be a minimum of 5,000 square feet per dwelling unit, except that there shall be a minimum of 5,000 square feet per duplex dwelling.*

**Finding:** The applicant has chosen to comply with lot size standard by averaging lot sizes. As described below, the average lot size per dwelling in the subdivision is 5,919 square feet. For R-1 the

average minimum lot size is 5,000 and the average maximum lot size is 10,000 square feet. This criterion is met.

- C.** *In calculating lot area for this section, lot area for this section, lot area does not include land within public or private streets. In calculation lot area for maximum lot area/minimum density requirements, lot area does not include land within stream corridors, land reserved for public parks or opens spaces, commons buildings, land for preservation of natural, scenic, or historic resources, land on slopes exceeding 15 percent or for avoidance of identified natural hazards, land in shared access easements, public walkways, or entirely used for utilities, land held in reserve in accordance with future development plan, or land for uses not appurtenant to the residence.*
- D.** *Lot size averaging is allowed for any subdivision. Some lots may be under the minimum lot size required in the zone where the subdivisions is located, as long as the average size of all lots is at least the minimum lot size.*

**Finding:** The lot sizes of each lot in the subdivision are as follows:

- Lot 1: 5,006 sq. ft.,
- Lot 2: 5,228 sq. ft.,
- Lot 3: 6,204 sq. ft.,
- Lot 4: 7,041 sq. ft.,
- Lot 5: 5,127 sq. ft.,
- Lot 6: 5,000 sq. ft.,
- Lot 7: 5,000 sq. ft.,
- Lot 8: 5,026 sq. ft.,
- Lot 9: 4,751 sq. ft.,
- Lot 10: 12,486 sq. ft.,
- Lot 11: 4,879 sq. ft., and
- Lot 12: 5,281 sq. ft.

The average lot size in the subdivision is 5,919 square feet. Not required to be included in these calculations is Tract A Stormwater Facility of 11,080 square feet. Therefore, through lot size averaging in the subdivision, the average lot size is within the average minimum and average maximum square footage permitted by the NMC for R-1 and the criteria is met.

**15.405.030** *Lot Dimension and Frontage*

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

**Finding:** The proposed lots are under 15,000 square feet. Therefore, this criterion does not apply.

- 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.*

**Finding:** The proposed lots conform to the lot area requirements for lots in the R-1 zone. The criteria is met as shown in the previous findings for NMC 15.405.010.

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).*

**Finding:** All lots except Lots 3, 4, 9, and 10 will have individual direct access to Rourke Court. Lots 3 and 4 will share a 25-foot-wide access and utility easement to Rourke Court. Lots 9 and 10 will also share a 25-foot-wide access and utility easement to Rourke Court. The applicant's narrative does not speak to this, but the access and utility easement for all lots are clearly shown on the supplied site plan. This criterion is met.

- c. *Each lot in R-1 zone shall have a minimum width of 35 feet at the front building line and AI or RP shall have a minimum width of 50 feet at the front building line.*

**Finding:** Building locations are not proposed as a part of this subdivision plat application. All proposed lot widths are greater than 35 feet. This criterion will need to be met at time of building permit review process.

**15.405.040 Lot coverage and parking coverage requirements.**

**Finding:** This section of NMC will be reviewed, if applicable, during the building permit review process. This section is not applicable at this stage of the subdivision review process because it is more appropriately reviewed during the building permit review process.

**Chapter 15.410 YARD SETBACK REQUIREMENTS**

**Finding:** This section of NMC will be reviewed, if applicable, during the building permit review process. This section is not applicable at this stage of the subdivision review process because it is more appropriately reviewed during the building permit review process.

**Chapter 15.415 BUILDING AND SITE DESIGN STANDARDS**

**Finding:** This section of NMC will be reviewed, if applicable, during the building permit review process. This section is not applicable at this stage of the subdivision review process because it is more appropriately reviewed during the building permit review process.

**Chapter 15.420 LANDSCAPING AND OUTDOOR AREAS**

**15.420.010 Required minimum standards.**

**B. Required Landscaped Area.**

**4. Trees, Shrubs and Ground Covers.** *The species of street trees required under this section shall conform to those authorized by the city council through resolution. The director shall have the responsibility for preparing and updating the street tree species list which shall be adopted in resolution form by the city council.*

**a. Arterial and minor arterial street trees shall have spacing of approximately 50 feet on center. These trees shall have a minimum two-inch caliper tree trunk or stalk at a measurement of two feet up from the base and shall be balled and burlapped or boxed.**

**b. Collector and local street trees shall be spaced approximately 35 to 40 feet on center. These trees shall have a minimum of a one and one-half or one and three-fourths inch tree trunk or stalk and shall be balled and burlapped or boxed.**

**e. Ground Cover Plant Material.** *Ground cover plant material such as greening juniper, cotoneaster, minor Bowles, English ivy, hypericum and the like shall be one of the following sizes in specified spacing for that size:*

*Gallon cans 3 feet on center*

*4" containers 2 feet on center*

*2-1/4" containers 18" on center*

*Rooted cuttings 12" on center*

**C. Installation of Landscaping.** *All landscaping required by these provisions shall be installed prior to the issuance of occupancy permits, unless security equal to 110 percent of the cost of the landscaping as determined by the director is filed with the city, insuring such installation within six months of occupancy. A security – cash, certified check, time certificates of deposit, assignment of a savings account, bond or such other assurance of completion as shall meet with the approval of the city attorney – shall satisfy the security requirements. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the director, the security may be used by the city to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the city shall be returned to the applicant. [Ord. 2880 § 2 (Exh. B §§ 42, 43), 6-7-21; Ord. 2720 § 1(16, 17), 11-2-09; Ord. 2647, 6-5-06; Ord. 2564, 4-15-02; Ord. 2561, 4-1-02; Ord. 2513, 8-2-99; Ord. 2451, 12-2-96. Code 2001 § 151.580.]*

**Finding:** The applicant is showing creation of a planter strip along N College Street, a minor arterial street, with preliminary tree locations. Street trees along N College Street will need to be from the approved street trees species list and planted 50 feet on center. The applicant will also need to ensure the planter strip contains grass, shrubs, and ground cover per NMC 15.420.010 required minimum

standards for landscaping. For the local street of Rourke Court, the applicant is showing a curb tight sidewalk with no planter strip. Street trees are required along Rourke Court and will need to be placed 10 feet behind the curb tight sidewalk but outside the public utility easement. The trees will need to be 35 feet on center and from the approved street tree species list. The street trees will need to be planted prior to occupancy of Lots 1, 2, 5, 6, 7, 8, 10, 11 and 12. If the landscaping cannot be completed prior to issuance of occupancy the applicant may place a security on file per NMC 15.420.010(C). Parcels 3, 4, and 9 do not have street frontage, only access to Rourke Court through a 25-foot shared access and utility easement and therefore, it would be unreasonable to require the installation of street trees prior to their occupancy.

***15.420.020 Landscaping and amenities in public rights-of-way.***

*The following standards are intended to create attractive streetscapes and inviting pedestrian spaces. A review body may require any of the following landscaping and amenities to be placed in abutting public rights-of-way as part of multifamily, commercial, industrial, or institutional design reviews, or for subdivisions and planned unit developments. In addition, any entity improving existing rights-of-way should consider including these elements in the project. A decision to include any amenity shall be based on comprehensive plan guidelines, pedestrian volumes in the area, and the nature of surrounding development.*

**Finding:** It is noted by the applicant that the code encourages the use of elements listed in the subsections of NMC 15.420.020 to be included in their development. It is stated that the applicant recognizes this as an applicable project that may consider inclusion of these planting requirements. Narrative acknowledges the need for low shrubs and required street trees that are required from 15.420.010(B)(4).

***Chapter 15.425 EXTERIOR LIGHTING***

**Finding:** This requirement will be reviewed during the building permit review application.

***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.***
- B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.***
- C. The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:***
  - 1. The cost of undergrounding the utility is extraordinarily expensive.***

2. *There are physical factors that make undergrounding extraordinarily difficult.*
3. *Existing utility facilities in the area are primarily overhead and are unlikely to be changed. [Ord. 2537, 11-6-00. Code 2001 § 151.589.]*

**Finding:** The proposed project narrative describes that the utilities will be installed underground. This criterion is met.

#### ***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 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.*

**Finding:** The applicant states that the proposed lot sizes are adequate to allow for the option of two car garages or driveway parking that will meet the standard. Final review of off-street parking requirements will be reviewed at time of building permit review process.

#### **Division 15.500**

#### ***Chapter 15.505 PUBLIC IMPROVEMENT STANDARDS***

##### ***15.505.010 Purpose.***

*This chapter provides standards for public infrastructure and utilities installed with new development, consistent with the policies of the City of Newberg comprehensive plan and adopted city master plans. The standards are intended to minimize disturbance to natural features, promote energy conservation and efficiency, minimize and maintain development impacts on surrounding properties and neighborhoods, and ensure timely completion of adequate public facilities to serve new development. [Ord. 2810 § 2 (Exhs. B, C), 1219-16.]*

##### ***15.505.020 Applicability.***

*The provision and utilization of public facilities and services within the City of Newberg shall apply to all land developments in accordance with this chapter. No development shall be approved unless the following improvements are provided for prior to occupancy or operation, unless future provision is assured in accordance with NMC 15.505.030(E).*

- A. *Public Works Design and Construction Standards. 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 comply with the requirements of the most recently adopted Newberg public works design and construction standards.*



- B. *Street Improvements. All projects subject to a Type II design review, partition, or subdivision approval must construct street improvements necessary to serve the development.***

**Finding:** The applicant's preliminary plans show a new limited residential street named Rourke Court as well as improvements on N College Street. Because the applicant has not submitted construction plans, final street improvement plans will need to be submitted and approved prior to applying for building permits. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed, see conditions in Section 15.505.030.

- C. *Water. All developments, lots, and parcels within the City of Newberg shall be served by the municipal water system as specified in Chapter 13.15 NMC.***

**Finding:** Preliminary plans show a new 8-inch water line in the proposed Rourke Court connecting to the existing water line in the N College Street right-of-way. Because the applicant has not submitted construction plans, final water line plans will need to be submitted for approval as part of the public improvement permit application. This criterion will be met if all improvements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.040(D).

- D. *Wastewater. All developments, lots, and parcels within the City of Newberg shall be served by the municipal wastewater system as specified in Chapter 13.10 NMC.***

**Finding:** Preliminary plans show a new 8-inch wastewater line installed in the proposed Rourke Court. The proposed wastewater line is shown connecting to an existing wastewater line in the easement on the east side of the N College Street right-of-way. Because the applicant has not submitted construction plans, final plans for the proposed wastewater line will need to be submitted for approval as part of the public improvement permit application. This criterion will be met if all wastewater improvements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.040(E).

- E. *Stormwater. All developments, lots, and parcels within the City of Newberg shall manage stormwater runoff as specified in Chapters 13.20 and 13.25 NMC.***

**Finding:** The proposed development will create more than 500 square feet of impervious area, public and private. A new 12-inch stormwater line is shown in the proposed Rourke Court. The applicant proposes to treat and detain both public and private stormwater in an extended dry detention facility in Tract A. A preliminary stormwater report prepared by AKS engineering was submitted as part of the application. The ditch on the east side of N College Street is noted as being rerouted but how it is rerouted is unclear from the plans. The proposed improvements along N College Street are labeled in the preliminary stormwater report as new impervious area unable to be treated. An equivalent amount of existing impervious area from the west side of N College Street is shown routed to the new stormwater management facility in Tract A via the ditch on the west side of N College Street, which is also connected via ditch inlet to the stormwater management facility in Tract A and as a bypass

route. The outflow from Tract A is routed to an existing culvert in the N College Street right-of-way and is shown discharging at the southwest corner of the site.

There are two existing drainage ditches connected by a culvert shown on Lot 10. The flow from these ditches is shown routed via ditch inlet to an existing culvert in the east side of the N College Street right-of-way. If the upstream ditch is rerouted the flow from these ditches to the existing culvert will be impacted as well. It is not clear how the upstream ditches will be rerouted from the plans.

Because a final stormwater management report has not been submitted, a final stormwater management report and construction plans meeting the City's Public Works Design and Construction Standards will be required as part of the public works improvement permit application. This criterion will be met if all stormwater improvements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.050.

- F. *Utility Easements. Utility easements shall be provided as necessary and required by the review body to provide needed facilities for present or future development of the area.***

**Finding:** The applicant's preliminary plans show 10-foot-wide public utility easements along the frontages of all lots on the proposed Rourke Court except Lot 10. The applicant's narrative indicates that 10-foot-wide public utility easements are planned along all public rights-of-way. The plans also show shared access and utility easements for Lots 3 and 4 and Lots 9 and 10. Because the applicant has not submitted construction plans, final plans showing utility easements will be required as part of the public works improvement permit application. This criterion will be met if all easements necessary to service the development meet City standards and are completed, see conditions in Section 15.505.040(F).

- G. *City Approval of Public Improvements Required. No building permit may be issued until all required public facility improvements are in place and approved by the director, or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the Newberg Public Works Design and Construction Standards. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]***

**15.505.030 Street standards.**

- A. *Purpose. The purpose of this section is to:***
- 1. *Provide for safe, efficient, and convenient multi-modal transportation within the City of Newberg.***
  - 2. *Provide adequate access to all proposed and anticipated developments in the City of Newberg. For purposes of this section, "adequate access" means direct routes of travel between destinations; such destinations may include residential neighborhoods, parks, schools, shopping areas, and employment centers.***

3. *Provide adequate area in all public rights-of-way for sidewalks, wastewater and water lines, stormwater facilities, natural gas lines, power lines, and other utilities commonly and appropriately placed in such rights-of-way. For purposes of this section, “adequate area” means space sufficient to provide all required public services to standards defined in this code and in the Newberg public works design and construction standards.*
- B. *Applicability. The provisions of this section apply to:***
1. *The creation, dedication, and/or construction of all public streets, bike facilities, or pedestrian facilities in all subdivisions, partitions, or other developments in the City of Newberg.*
  2. *The extension or widening of existing public street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the city, or which may be required by the city in association with other development approvals.*
  3. *The construction or modification of any utilities, pedestrian facilities, or bike facilities in public rights-of-way or easements.*
  4. *The designation of planter strips. Street trees are required subject to Chapter 15.420 NMC.*
  5. *Developments outside the city that tie into or take access from city streets.*
- C. *Layout of Streets, Alleys, Bikeways, and Walkways. Streets, alleys, bikeways, and walkways shall be laid out and constructed as shown in the Newberg transportation system plan. In areas where the transportation system plan or future street plans do not show specific transportation improvements, roads and streets shall be laid out so as to conform to previously approved subdivisions, partitions, and other developments for adjoining properties, unless it is found in the public interest to modify these patterns. Transportation improvements shall conform to the standards within the Newberg Municipal Code, the Newberg public works design and construction standards, the Newberg transportation system plan, and other adopted city plans.***
- 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.*

**Finding:** As part of the proposed subdivision, the Applicant is proposing Rourke Court as a limited residential street. Because the applicant has not submitted construction plans, final street improvement plans will need to be submitted for approval as part of the public improvement permit application. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed, see conditions in Section 15.505.030.

**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.*

**Finding:** The Applicant is proposing a 7-foot right-of-way dedication along the site's N College Street frontage. The Applicant's narrative states that this will increase the N College Street right-of-way to 69 feet adjacent to the site. N College Street is classified as a Minor Arterial in the City of Newberg Transportation System Plan. Subsection (G) lists the width of a Minor Arterial as 69 – 80 feet with 48 feet of curb to curb pavement width. A right-of-way dedication of sufficient width to achieve the minimum of 69-feet of right-of-way and 24 feet of pavement from the new curb to the right-of-way center line along the site's N College Street frontage shall be recorded and documentation of the recording submitted prior to building permit applications. This criterion will be met when the recorded dedication is submitted.

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.*

**Finding:** The Applicant is proposing half street improvements to N College Street to include approximately 8 and 1/2 feet of new pavement and improved pavement (mill and inlay) for the rest of the travel lane, sidewalks, planter strip and curb and gutter. N College Street is an ODOT facility. The applicant will need to obtain an ODOT permit for the N College Street frontage improvements prior to issuance of the City of Newberg Public Improvement Permit. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed.

3. *In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used*

*for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.*

- F. *Improvements Relating to Impacts. Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.***

**Finding:** The proposed development is a 12-lot subdivision. Because the development will be sending trips through the OR219-N College Street/Foothills Drive intersection, the city requested that the applicant prepare a trip generation/distribution memo to determine how many trips from this development would be going through the intersection. The applicant included a study prepared by Jennifer Denziger, PE from Lancaster Mobly in their application. The study calculated three trips in the morning peak, four trips in the evening peak, and 52 daily trips would travel through the OR219-N College Street/Foothills Drive intersection. The City has used the applicant's traffic memo and a previous traffic count (November 2018) done at the intersection to determine a Traffic Impact Fee based on proportionality. The previous traffic count indicates 964 trips in the AM peak and 1111 trips in the PM peak period

Project I02 in the City's 2016 Transportation System Plan (TSP) calls for intersection control upgrades at the E Foothills Drive/OR219-N College Street intersection with an estimated cost of \$825,000 (2016 dollars). The applicants submitted traffic memo study notes that 3 trips are being added to the intersection of E Foothills Drive/OR219-N College Street as a direct result of the development in the AM and that 4 trips are being added to the intersection in the PM peak hours. A Traffic Impact Fee was developed to capture the proportional impact of the development on public facilities and services.

The applicant shall pay a proportional cost for the traffic control upgrade to the City of Newberg for the number of trips being added to the E Foothills Drive/OR219-N College Street intersection as a direct result of the development. The most severe impact to the operation of the intersection occurs during the PM peak period. The following formula was used to develop a Traffic Impact Fee to capture the proportional impact of the development:

$$\frac{(4 \text{ PM trips directly proportional to the development}) / (1111 \text{ PM peak hour total trips through the intersection}) * (\$825,000 \text{ for the TSP cost of an intersection upgrade})}{=} \\ \underline{\$2,970 \text{ Traffic Impact Fee}}$$

The criterion will be met if the aforementioned condition of approval is adhered to

- 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**

<i>Type of Street</i>	<i>Right-of-Way Width</i>	<i>Curb-to-Curb Pavement Width</i>	<i>Motor Vehicle Travel Lanes</i>	<i>Median Type</i>	<i>Striped Bike Lane (Both Sides)</i>	<i>On-Street Parking</i>
<b>Arterial Streets</b>						
<i>Expressway**</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>	<i>ODOT</i>
<i>Major arterial</i>	<i>95 – 100 feet</i>	<i>74 feet</i>	<i>4 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor arterial</i>	<i>69 – 80 feet</i>	<i>48 feet</i>	<i>2 lanes</i>	<i>TWLTL or median*</i>	<i>Yes</i>	<i>No*</i>
<b>Collectors</b>						
<i>Major</i>	<i>57 – 80 feet</i>	<i>36 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes</i>	<i>No*</i>
<i>Minor</i>	<i>61 – 65 feet</i>	<i>40 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>Yes*</i>	<i>Yes*</i>
<b>Local Streets</b>						
<i>Local residential</i>	<i>54 – 60 feet</i>	<i>32 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>
<i>Limited residential, parking both sides</i>	<i>44 – 50 feet</i>	<i>28 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>Yes</i>
<i>Limited residential, parking one side</i>	<i>40 – 46 feet</i>	<i>26 feet</i>	<i>2 lanes</i>	<i>None</i>	<i>No</i>	<i>One side</i>
<i>Local commercial/ industrial</i>	<i>55 – 65 feet</i>	<i>34 feet</i>	<i>2 lanes</i>	<i>None*</i>	<i>No*</i>	<i>Yes*</i>

**Table 15.505.030(G) Street Design Standards**

<i>Type of Street</i>	<i>Right-of-Way Width</i>	<i>Curb-to-Curb Pavement Width</i>	<i>Motor Vehicle Travel Lanes</i>	<i>Median Type</i>	<i>Striped Bike Lane (Both Sides)</i>	<i>On-Street Parking</i>
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*\* May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.*

*\*\* All standards shall be per ODOT expressway standards.*

**Finding:** The applicant’s submitted narrative states, “Rourke Court has been designed as a Limited Residential Street with parking on one side at 43 feet in width, ending in a cul-de-sac with a radius of 42.5 feet”. The plans submitted show 6-foot parking lanes on both sides of the proposed Rourke Court and a cul-de-sac with a radius of 35 feet. Approval of a cul-de-sac with a 35-foot radius requires no parking on the street. See 15.505.030(L) below. Because construction plans have not been submitted, final plans showing Rourke Court as a Limited Residential Street with no parking on both sides of the street shall be submitted as part of the public improvement permit.

These criteria will be met if all improvements necessary to serve the development meet City standards and are completed.

2. ***Motor Vehicle Travel Lanes. Collector and arterial streets shall have a minimum width of 12 feet.***

**Finding:** No new collector or arterial streets are proposed. This criterion is not applicable.

3. ***Bike Lanes. Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.***

**Finding:** There is a project in the City’s Transportation System Plan labelled E05 Roadway Expansion which “Reconstructs to minor arterial street standards between 1<sup>st</sup> Street and Bell Road to include sidewalks and bike lanes on each side of College Street”. The adjacent section of N College Street does not currently provide bicycle lanes. Right-of-way dedication of sufficient width has been planned to provide these facilities. The submitted plans show 24 feet of pavement from the new curb to the right-of-way center line and new sidewalk along the site’s N College Street frontage. This criterion is met.

4. ***Parking Lanes. Where on-street parking is allowed on collector and arterial streets, the parking lane shall be a minimum of eight feet wide.***

**Finding:** There are no collector or arterial streets proposed. This criterion is not applicable.

5. ***Center Turn Lanes. Where a center turn lane is provided, it shall be a minimum of 12 feet wide.***

**Finding:** No center turn lanes are proposed. This criterion is not applicable.

6. ***Limited Residential Streets. Limited residential streets shall be allowed only at the discretion of the review authority, and only in consideration of the following factors:***
  - a. ***The requirements of the fire chief shall be followed.***

**Finding:** The narrative states that fire review will happen during review of the final construction plans in the final plat. Because final construction plans have not been submitted, final plans meeting the requirements of the fire chief shall be submitted with the public improvement permit application. These criteria will be met if all improvements necessary to serve the development meet City standards and are completed.

- b. ***The estimated traffic volume on the street is low, and in no case more than 600 average daily trips.***

**Finding:** The applicant's narrative describes trips on Rourke Court as anticipated as 113 average daily trips (12 dwelling units x 9.44 trips/dwelling unit = 113.28 trips). The anticipated average daily trips (ADT) on Rourke Court are fewer than the 600 ADT threshold. This criterion is met.

- c. ***Use for through streets or looped streets is preferred over cul-de-sac streets.***
  - d. ***Use for short blocks (under 400 feet) is preferred over longer blocks.***

**Finding:** The applicant's narrative describes the surrounding property development and shape of the property as not allowing through or looped streets. This requirement is met.

- e. ***The total number of residences or other uses accessing the street in that block is small, and in no case more than 30 residences.***

**Finding:** The applicant's narrative describes 12 lots, which is less than the 30-residence threshold established above. This criterion is met.

- f. ***On-street parking usage is limited, such as by providing ample off-street parking, or by staggering***



*driveways so there are few areas where parking is allowable on both sides.*

**Finding:** The proposed Rourke Court is labelled as a “modified” limited residential street on the submitted plans. The narrative describes parking on one side of the street and the plans show parking on both sides of the street. The plans also show a cul-de-sac with radius of 35 feet. Approval of a cul-de-sac with a radius of 35 feet requires the street have no parking. See 15.505.030 (L) below. Plans show ample off-street parking with four parking spaces per lot. Because final construction plans have not been submitted, final plans showing Rourke Court as a Limited Residential Street with no parking on both sides of the street shall be submitted as part of the public improvement permit. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed.

7. ***Sidewalks. Sidewalks shall be provided on both sides of all public streets. Minimum width is five feet.***

**Finding:** The submitted plans show 6-foot sidewalks proposed on both sides of the proposed Rourke Court. The submitted plans show 6-foot sidewalks on the N College Street frontage improvements. Because final construction plans have not been submitted, plans showing 6-foot sidewalks along Rourke Court and along the N College Street frontage shall be submitted for approval with the public improvement permit application. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed.

8. ***Planter Strips. Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curb-side sidewalks may be allowed on limited residential streets. Where curbside sidewalks are allowed, the following shall be provided:***
  - a. ***Additional reinforcement is done to the sidewalk section at corners.***
  - b. ***Sidewalk width is six feet.***

**Finding:** The submitted plans propose a limited residential street design for Rourke Court with 6 feet wide curb tight sidewalks. No planter strips are proposed which can be allowed with the proposed 6 feet wide sidewalks. Because final construction plans have not been submitted, final plans showing Rourke Court as a limited residential street with 6-foot-wide sidewalks shall be submitted for approval with the public improvements permit application.

The frontage improvements along N College Street show 5.5-foot planter strips. Because final construction plans have not been submitted, plans showing 5.5-foot-wide planter strips on N College shall be submitted for approval as part of the public improvement permit application. The applicant will need to obtain an ODOT permit for the N College Street frontage improvements prior to issuance of the City of Newberg Public Improvement Permit. This

criterion will be met if all improvements necessary to serve the development meet City standards and are completed.

9. *Slope Easements. Slope easements shall be provided adjacent to the street where required to maintain the stability of the street.*

**Finding:** The applicant is not proposing a slope easement. This criterion does not apply.

10. *Intersections and Street Design. The street design standards in the Newberg public works design and construction standards shall apply to all public streets, alleys, bike facilities, and sidewalks in the city.*

**Finding:** The design of the intersection and street will be reviewed through the Public Improvement Permit process to meet requirements.

11. *The planning commission may approve modifications to street standards for the purpose of ingress or egress to a minimum of three and a maximum of six lots through a conditional use permit.*

**Finding:** This is a Type II application, and the Planning Commission is not reviewing the case. This criterion does not apply.

- H. *Modification of Street Right-of-Way and Improvement Width. The director, pursuant to the Type II review procedures of Chapter 15.220 NMC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:*

1. *The modification is necessary to provide design flexibility in instances where:*
  - a. *Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or*
  - b. *Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or*
  - c. *A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or*
  - d. *A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.*
2. *Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.*

**Finding:** The applicant has not proposed modifications to these street standards. These criteria do not apply.

- I. *Temporary Turnarounds. Where a street will be extended as part of a future phase of a development, or as part of development of an abutting property, the street may be terminated with a temporary turnaround in lieu of a standard street connection or circular cul-de-sac bulb. The director and fire chief shall approve the temporary turnaround. It shall have an all-weather surface, and may include a hammerhead-type turnaround meeting fire apparatus access road standards, a paved or graveled circular turnaround, or a paved or graveled temporary access road. For streets extending less than 150 feet and/or with no significant access, the director may approve the street without a temporary turnaround. Easements or right-of-way may be required as necessary to preserve access to the turnaround.***

**Finding:** The applicant is not proposing a temporary turnaround. This criterion does not apply.

- J. *Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of this code.***

**Finding:** The applicant has given suitable recognition to surrounding topographical conditions. This requirement is met.

- K. *Future Extension of Streets. All new streets required for a subdivision, partition, or a project requiring site design review shall be constructed to be “to and through”: through the development and to the edges of the project site to serve adjacent properties for future development.***

**Finding:** There are no possible future street extensions as part of this project. This criterion does not apply.

- L. *Cul-de-Sacs.***

- 1. *Cul-de-sacs shall only be permitted when one or more of the circumstances listed in this section exist. When cul-de-sacs are justified, public walkway connections shall be provided wherever practical to connect with another street, walkway, school, or similar destination.***

**Finding:** The plans show a pedestrian walkway and bicycle access at the western edge of the Rourke Court cul-de-sac leading to the N College Street right-of-way. The walkway is shown as 10 feet wide with a six-foot-wide paved surface. A 15-foot-wide easement is also shown on the plans. Public walkways are required to have a 10-foot paved surface. Because final construction plans have not been submitted, final plans showing the proposed public walkway connecting Rourke Court with N College Street with a 10-foot-wide paved surface to be submitted with the public improvements permit application. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed.

- a. *Physical or topographic conditions make a street connection impracticable. These conditions include but are not limited to controlled access streets, railroads, steep slopes, wetlands, or water bodies where a connection could not be reasonably made.*

**Finding:** The project narrative and plans indicate that the physical characteristics of the property and wetlands/waters of the state at the north of the property make street connections impracticable. Additionally, as a state highway, N College Street is under the jurisdiction of ODOT and access is controlled along the property's frontage. This criterion is met.

- b. *Buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.*

**Finding:** The project narrative describes surrounding residential lands on the east side of N College Street as developed and therefore leave no potential connection point for streets within this project. Also, that Institutional lands to the east and north make residential development requiring potential street connection unlikely. This criterion is met.

- c. *Where streets or accessways would violate provisions of leases, easements, or similar restrictions.*

**Finding:** There are no known leases or easements, or similar restrictions in the application proposal. This criterion does not apply.

- d. *Where the streets or accessways abut the urban growth boundary and rural resource land in farm or forest use, except where the adjoining land is designated as an urban reserve area.*

**Finding:** This criterion is not applicable because the streets or accessway do not abut the urban growth boundary.

2. *Cul-de-sacs shall be no more than 400 feet long (measured from the centerline of the intersection to the radius point of the bulb).*

**Finding:** The cul-de-sac measures less than 400 feet from the centerline of the intersection of Rourke Court and N College Street to the radius point of the bulb. This criterion is met.

3. *Cul-de-sacs shall not serve more than 18 single-family dwellings.*

**Finding:** The cul-de-sac is planned to serve 12 single-family dwellings. This criterion is met.

*Each cul-de-sac shall have a circular end with a minimum diameter of 96 feet, curb-to-curb, within a 109-foot minimum diameter right-of-way. For*

*residential uses, a 35-foot radius may be allowed if the street has no parking, a mountable curb, curbside sidewalks, and sprinkler systems in every building along the street.*

**Finding:** The applicant’s narrative describes a cul-de-sac with a radius of 35 feet, curb-to-curb, within a 90-foot diameter right-of-way containing curbside sidewalks and a mountable curb. The plans show an 85-foot diameter right-of-way. The proposed Rourke Court is described in the narrative as a modified limited residential street with parking on one side. The plans submitted show Rourke Court with parking on both sides. The narrative describes residences along the street as planned to be sprinklered. Because the applicant has not submitted final construction plans, final plans showing Rourke Court as a street with no parking, a mountable curb and curbside sidewalks will be required as part of the public works permit application.

Prior to issuance of building permits, building plans to be submitted showing fire sprinkler systems in every building along Rourke Court. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed.

- M. *Street Names and Street Signs. Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for new streets not in alignment with existing streets are subject to approval by the director and the fire chief and shall not unnecessarily duplicate or resemble the name of any existing or platted street in the city. It shall be the responsibility of the land divider to provide street signs.***

**Finding:** The applicant is proposing “Rourke Court” as the name of the proposed residential street. The applicant shall obtain approval of the name the proposed residential street prior to installing street signs. This criterion will be met when the residential street is named approved and street signs are installed.

- N. *Platting Standards for Alleys.***
- 1. *An alley may be required to be dedicated and constructed to provide adequate access for a development, as deemed necessary by the director.***
  - 2. *The right-of-way width and paving design for alleys shall be not less than 20 feet wide. Slope easements shall be dedicated in accordance with specifications adopted by the city council under NMC 15.505.010 et seq.***
  - 3. *Where two alleys intersect, 10-foot corner cut-offs shall be provided.***
  - 4. *Unless otherwise approved by the city engineer where topographical conditions will not reasonably permit, grades shall not exceed 12 percent on alleys, and centerline radii on curves shall be not less than 100 feet.***
  - 5. *All provisions and requirements with respect to streets identified in this code shall apply to alleys the same in all respects as if the word***

*“street” or “streets” therein appeared as the word “alley” or “alleys” respectively.*

**Finding:** The applicant is not proposing alleys. This criterion does not apply.

**O. *Platting Standards for Blocks.***

- 1. *Purpose. Streets and walkways can provide convenient travel within a neighborhood and can serve to connect people and land uses. Large, uninterrupted blocks can serve as a barrier to travel, especially walking and biking. Large blocks also can divide rather than unite neighborhoods. To promote connected neighborhoods and to shorten travel distances, the following minimum standards for block lengths are established.***
- 2. *Maximum Block Length and Perimeter. The maximum length and perimeters of blocks in the zones listed below shall be according to the following table. The review body for a subdivision, partition, conditional use permit, or a Type II design review may require installation of streets or walkways as necessary to meet the standards below.***

<i>Zone(s)</i>	<i>Maximum Block Length</i>	<i>Maximum Block Perimeter</i>
<i>R-1</i>	<i>800 feet</i>	<i>2,000 feet</i>
<i>R-2, R-3, RP, I</i>	<i>1,200 feet</i>	<i>3,000 feet</i>

- 3. *Exceptions.***
  - a. *If a public walkway is installed mid-block, the maximum block length and perimeter may be increased by 25 percent.***
  - b. *Where a proposed street divides a block, one of the resulting blocks may exceed the maximum block length and perimeter standards provided the average block length and perimeter of the two resulting blocks do not exceed these standards.***
  - c. *Blocks in excess of the above standards are allowed where access controlled streets, street access spacing standards, railroads, steep slopes, wetlands, water bodies, preexisting development, ownership patterns or similar circumstances restrict street and walkway location and design. In these cases, block length and perimeter shall be as small as practical. Where a street cannot be provided because of these circumstances but a public walkway is still feasible, a public walkway shall be provided.***
  - d. *Institutional campuses located in an R1 zone may apply the standards for the institutional zone.***

- e. *Where a block is in more than one zone, the standards of the majority of land in the proposed block shall apply.*
- f. *Where a local street plan, concept master site development plan, or specific plan has been approved for an area, the block standards shall follow those approved in the plan. In approving such a plan, the review body shall follow the block standards listed above to the extent appropriate for the plan area.*

**Finding:** The applicant is not proposing blocks. These criteria do not apply.

- P. *Private Streets. New private streets, as defined in NMC 15.05.030, shall not be created, except as allowed by NMC 15.240.020(L)(2).*

**Finding:** The applicant is not proposing private streets. This criterion does not apply.

**Q. *Traffic Calming.***

- 1. *The following roadway design features may be required in new street construction where traffic calming needs are anticipated:*
  - a. *Serpentine alignment.*
  - b. *Curb extensions.*
  - c. *Traffic diverters/circles.*
  - d. *Raised medians and landscaping.*
  - e. *Other methods shown effective through engineering studies.*
- 2. *Traffic-calming measures such as speed humps should be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street constructions.*

**Finding:** The applicant is not proposing traffic calming. These criteria do not apply.

**R. *Vehicular Access Standards.***

- 1. *Purpose. The purpose of these standards is to manage vehicle access to maintain traffic flow, safety, roadway capacity, and efficiency. They help to maintain an adequate level of service consistent with the functional classification of the street. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the city. Access is limited and managed on these roads to promote efficient through movement. Local streets and alleys provide access to individual properties. Access is managed on these roads to maintain safe maneuvering of vehicles in and out of properties and to allow safe through movements. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function.*
- 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*

<i>Roadway Functional Classification</i>	<i>Area<sup>1</sup></i>	<i>Minimum Public Street Intersection Spacing (Feet)<sup>2</sup></i>	<i>Driveway Setback from Intersecting Street<sup>3</sup></i>
<i>Expressway</i>	<i>All</i>	<i>Refer to ODOT Access Spacing Standards</i>	<i>NA</i>
<i>Major arterial</i>	<i>Urban CBD</i>	<i>Refer to ODOT Access Spacing Standards</i>	
<i>Minor arterial</i>	<i>Urban CBD</i>	<i>500 200</i>	<i>150 100</i>
<i>Major collector</i>	<i>All</i>	<i>400</i>	<i>150</i>
<i>Minor collector</i>	<i>All</i>	<i>300</i>	<i>100</i>

<sup>1</sup> *“Urban” refers to intersections inside the city urban growth boundary outside the central business district (C-3 zone).*

*“CBD” refers to intersections within the central business district (C-3 zone).*

*“All” refers to all intersections within the Newberg urban growth boundary.*

<sup>2</sup> *Measured centerline to centerline.*

<sup>3</sup> *The setback is based on the higher classification of the intersecting streets. Measured from the curb line of the intersecting street to the beginning of the driveway, excluding flares. If the driveway setback listed above would preclude a lot from having at least one driveway, including shared driveways or driveways on adjoining streets, one driveway is allowed as far from the intersection as possible.*

**Finding:** The project includes a Minor Arterial, N College Street, adjacent to the project site. N College Street is a state highway and spacing of public street intersections and surrounding driveways is to be determined by ODOT. The narrative says that the Rourke Court/N College Street intersection is spaced at least 500 feet from another public street and 150 feet from adjacent driveways. Lot 1 does not appear to have 150 feet of distance from its driveway and the intersection of Rourke Court and N College Street. The driveway for Lot 1 is required to be as far as possible from the intersection with N College Street. Because the applicant has not submitted final construction plans, final plans are required to be submitted with permit applications showing the driveway for Lot 1 located as far as possible from the intersection with N College Street. This criterion can be met.



3. *Properties with Multiple Frontages. Where a property has frontage on more than one street, access shall be limited to the street with the lesser classification.*

**Finding:** Lots 10, 11, and 12, as well as Tract A, are planned with two frontages. These lots front both N College Street and Rourke Court. Access to these lots has been planned only from Rourke Court, the street with the lower classification. This criterion is met.

4. *Driveways. More than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 40 feet of lot frontage separating each driveway approach. More than one driveway is permitted on a lot accessed from a major collector as long as there is at least 100 feet of lot frontage separating each driveway approach.*
5. *Alley Access. Where a property has frontage on an alley and the only other frontages are on collector or arterial streets, access shall be taken from the alley only. The review body may allow creation of an alley for access to lots that do not otherwise have frontage on a public street provided all of the following are met:*
  - a. *The review body finds that creating a public street frontage is not feasible.*
  - b. *The alley access is for no more than six dwellings and no more than six lots.*
  - c. *The alley has through access to streets on both ends.*
  - d. *One additional parking space over those otherwise required is provided for each dwelling. Where feasible, this shall be provided as a public use parking space adjacent to the alley.*

**Finding:** The applicant's property does not have alley access. This criterion does not apply.

6. *Closure of Existing Accesses. Existing accesses that are not used as part of development or redevelopment of a property shall be closed and replaced with curbing, sidewalks, and landscaping, as appropriate.*

**Finding:** Existing access to the property is provided via Tax Lot 2802 to the north, serving both this property and the North Valley Friends Church. This driveway will be abandoned as part of this project. Residential lots will replace the area of connection. This criterion is met.

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.*
- e. Where three lots or three dwellings share one driveway, one additional parking space over those otherwise required shall be provided for each dwelling. Where feasible, this shall be provided as a common use parking space adjacent to the driveway.*

**Finding:** The applicant is proposing two shared driveways. One will serve Lots 9 & 10. The other will serve Lots 3 & 4. A 25-foot access and utility easement is shown on each of these shared driveways. Maintenance agreements are required as well. Access and utility easements and maintenance agreements for both shared driveways shall be recorded prior to the final plat approval. This criterion will be met when the access easements and maintenance agreements are recorded and submitted to the city.

- 8. Frontage Streets and Alleys. The review body for a partition, subdivision, or design review may require construction of a frontage street to provide access to properties fronting an arterial or collector street.*

**Finding:** The proposed lots front on an arterial street but will take access from an internal street with a Limited Residential Street designation. . This criterion does not apply.

- 9. ODOT or Yamhill County Right-of-Way. Where a property abuts an ODOT or Yamhill County right-of-way, the applicant for any development project shall obtain an access permit from ODOT or Yamhill County.*

**Finding:** In the applicant’s narrative they commit to obtaining an access permit form ODOT for access to N College Street. The applicant shall submit for approval from ODOT for access to N College Street with the Public Improvement Permit Application. This criterion will be met when the applicant submits ODOT approval for access to N College Street.

10. *Exceptions. The director may allow exceptions to the access standards above in any of the following circumstances:*
  - a. *Where existing and planned future development patterns or physical constraints, such as topography, parcel configuration, and similar conditions, prevent access in accordance with the above standards.*
  - b. *Where the proposal is to relocate an existing access for existing development, where the relocated access is closer to conformance with the standards above and does not increase the type or volume of access.*
  - c. *Where the proposed access results in safer access, less congestion, a better level of service, and more functional circulation, both on street and on site, than access otherwise allowed under these standards.*
11. *Where an exception is approved, the access shall be as safe and functional as practical in the particular circumstance. The director may require that the applicant submit a traffic study by a registered engineer to show the proposed access meets these criteria.*

**Finding:** The applicant is not proposing any exceptions. These criteria are not applicable.

S. *Public Walkways.*

1. *Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.*
2. *Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.*
3. *A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.*
4. *Public walkways shall be designed to meet the Americans with Disabilities Act requirements.*
5. *Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.*

6. *The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.*
7. *Lighting may be required for public walkways in excess of 250 feet in length.*
8. *The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.*

**Finding:** The plans show a pedestrian walkway and bicycle access at the western edge of the Rourke Court cul-de-sac leading to the N College Street right-of-way. The walkway is shown as 10 feet wide with a six-foot-wide paved surface. A 15-foot-wide easement is also shown on the plans. Public walkways are required to have a 10-foot paved surface. Because final construction plans have not been submitted, final plans showing the proposed public walkway connecting Rourke Court with N College Street with a 10-foot-wide paved surface to be submitted with the public improvements permit application. This criterion will be met if all improvements necessary to serve the development meet City standards and are completed.

- 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).*

**Finding:** The applicant is showing creation of a planter strip along N College Street, a minor arterial street, with preliminary tree locations. Street trees along N College Street will need to be from the approved street trees species list and planted 50 feet on center. The applicant will also need to ensure the planter strip contains grass, shrubs, and ground cover per NMC 15.420.010 required minimum standards for landscaping. For the local street of Rourke Court, the applicant is showing a curb tight sidewalk with no planter strip. Street trees are required along Rourke Court and will need to be placed 10 feet behind the curb tight sidewalk but outside the public utility easement. The trees will need to be 35 feet on center and from the approved street tree species list. The street trees will need to be planted prior to occupancy of Lots 1, 2, 5, 6, 7, 8, 10, 11 and 12. If the landscaping cannot be completed prior to issuance of occupancy the applicant may place a security on file per NMC 15.420.010(C). Lots 3, 4, and 9 do not have street frontage, only access to Rourke Court through a 25-foot shared access and utility easement and therefore, it would be unreasonable to require the installation of street trees prior to their occupancy.

- 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.*

**Finding:** The applicant’s plans show proposed street lighting. However, it is unclear if the City’s requirements for street lighting are being met. Because a lighting analysis has not been provided, the applicant will be required to show via a lighting analysis that the proposed street lighting meets City standards or provide additional Option A street lighting that is compliant with the City’s Public Works Design and Construction Standards.

The criterion will be met if the aforementioned condition of approval is adhered to.

- V. ***Transit Improvements. Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Newberg transportation system plan or adopted local or regional transit plan, shall be required to provide any of the following, as applicable and required by the review authority:***
1. ***Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section, “reasonably direct” means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.***
  2. ***A transit passenger landing pad accessible to disabled persons.***
  3. ***An easement of dedication for a passenger shelter or bench if such facility is in an adopted plan.***
  4. ***Lighting at the transit facility. [Ord. 2822 § 1 (Exh. A), 2-5-18; Ord. 2810 § 2 (Exhs. B, C), 12-19-16; Ord. 2763 § 1 (Exh. A § 19), 9-16-13; Ord. 2736 § 1 (Exh. A §§ 1, 3, 4), 3-21-11; Ord. 2619, 5-16-05; Ord. 2513, 8-2-99; Ord. 2507, 3-1-99; Ord. 2494, 4-6-98; Ord. 2451, 12-2-96. Code 2001 §§ 151.681, 151.683, 151.684 – 151.686, 151.689 – 151.692, 151.694, 151.695, 151.701 – 151.703, 151.705.]***

**Finding:** The applicant is not proposing transit improvements and the site is not adjacent to existing or planned transit facilities. These criteria do not apply.

**15.505.040 Public utility standards.**

- A. ***Purpose. The purpose of this section is to provide adequate services and facilities appropriate to the scale and type of development.***
- B. ***Applicability. This section applies to all development where installation, extension or improvement of water, wastewater, or private utilities is required to serve the development or use of the subject property.***
- 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.*

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

**Finding:** Preliminary plans show a new 8-inch water line in the proposed Rourke Court. It connects to the existing 8-inch water line in the existing utility easement along the N College Street frontage in two places on the north and south end of the property. The applicant will be required to verify that adequate fire flow exists in accordance with requirements of the fire marshal. Because the applicant has not submitted construction plans, final plans including the proposed water lines shall be submitted as part of the public improvement permit application. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.

Results of fire flow tests performed by a private contractor hired by the applicant shall be submitted prior to issuance of building permits accordance with requirements of the fire marshal. This criterion will be met if all improvements necessary to service the development meet City standards and are completed.

***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.***
- 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.***
- 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.***
- 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.***
- 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.***

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

**Finding:** Preliminary plans show a new 8-inch wastewater line installed in the proposed Rourke Court connected to the existing 8-inch wastewater line in the existing easement along the N College Street frontage. Each set of lots on the shared driveways is shown served by one shared lateral. Each lot will require an individual connection to the public line. There is an existing septic system serving the property currently. Because the applicant has not submitted construction plans, final plans of the proposed wastewater line with individual service laterals to each lot shall be submitted as part of the public improvements permit application. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.

The existing septic system is to be decommissioned according to Yamhill County standards. Documentation of the septic system abandonment or removal in accordance with Yamhill County standards shall be submitted with the public improvement permit application.

These criteria will be met if all wastewater improvements necessary to service the development meet City standards and are completed.

- 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.]*

**Finding:** The applicant has submitted preliminary plans that show 10-foot public utility easements along all lot frontages except for a portion of Lot 10, a 15-foot public access easement for the public walkway, 25-foot access and utility easements over each shared driveway, two variable width natural resource easements covering the wetlands/waters of the state on Lot 10, a small triangular section of public utility easement outside the north west part of the proposed cul-de-sac adjacent to the existing utility easement along the N College Street frontage. Because the applicant has not recorded all utility easements, the applicant will be required to submit recorded documents that include necessary utility easements meeting the specifications and standards of the City's Public Works Design and Construction Standards, but not necessarily limited to:

- 1) 10-foot public utility easements along all public street frontages including Lot 10
- 2) 15-foot public access easement for the proposed public walkway
- 3) 25-foot access and utility easement for the water and sewer lines in both shared driveways
- 4) Maintain and protect all existing utilities easements encumbered on the property.



The criterion will be met if the aforementioned condition of approval is adhered to.

**15.505.050 Stormwater system standards.**

- A. **Purpose.** *The purpose of this section is to provide for the drainage of surface water from all development; to minimize erosion; and to reduce degradation of water quality due to sediments and pollutants in stormwater runoff.*
  
- B. **Applicability.** *The provisions of this section apply to all developments subject to site development review or land division review and to the reconstruction or expansion of such developments that increases the flow or changes the point of discharge to the city stormwater system. Additionally, the provisions of this section shall apply to all drainage facilities that impact any public storm drain system, public right-of-way or public easement, including but not limited to off-street parking and loading areas.*
  
- C. **General Requirement.** *All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.*

**Finding:** The applicant's narrative and preliminary plans show the applicant will be installing stormwater facilities in Tract A to address the quality and quantity of stormwater runoff from the development prior to being released into an existing stormwater culvert and a new 18-inch stormwater pipe discharging into a ditch at the southwest corner of the property. A preliminary stormwater report was submitted as well.

Because the applicant has not provided construction plans or a final stormwater report, the applicant will need to submit a final stormwater report and construction plans meeting the City's Public Works Design and Construction Standards and NMC 13.25 Stormwater Management requirements and obtain a Public Improvement Permit. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.

The criterion will be met if the aforementioned condition of approval is adhered to.

- D. **Plan for Stormwater and Erosion Control.** *No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:*
  - 1. *The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.*

2. *Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.*
3. *Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.*

**Finding:** The applicant's plans show site disturbance of greater than one acre. Because the applicant as not provided documentation of an erosion and sedimentation control permit for the development site, the applicant will be required to obtain and submit a DEQ 1200-C permit prior to issuance of a public improvement permit.

The applicant has submitted a preliminary stormwater management report. The report describes stormwater detention and treatment in Tract A. The proposed improvements along N College Street are labeled in the preliminary stormwater report as new impervious area unable to be treated. An equivalent amount of existing impervious area from the west side of N College Street is shown routed to the new stormwater management facility in Tract A via the ditch on the west side of N College St. which is also connected via ditch inlet to the stormwater management facility in Tract A and as a bypass route. The outflow from tract A is routed to an existing culvert in the N College right-of-way and is shown discharging at the southwest corner of the site.

The ditch on the east side of N College Street is noted as being rerouted but how it is rerouted is unclear from the plans. There are two existing drainage ditches connected by a culvert shown on Lot 10. The flow from these ditches is shown routed via ditch inlet to an existing culvert in the east side of the N College Street right-of-way. The flow from this culvert is impacted by how the upstream ditches on the east side of N College Street will be rerouted. This is not clear from the plans.

Because the applicant has not submitted a final stormwater report or construction plans, the applicant will need to submit a final stormwater report and construction plans meeting the City's Public Works Design and Construction Standards and NMC 13.25 Stormwater Management requirements and obtain a Public Improvement Permit. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.

The applicant is also required to obtain ODOT approval and a permit from ODOT for the proposed storm system improvements along N College prior to issuance of a City Public Improvement Permit.

The criterion will be met if the aforementioned condition of approval is adhered to.

- E. *Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the*

*Newberg public works design and construction standards. [Ord. 2810 § 2 (Exhs. B, C), 12-19-16.]*

**Finding:** The applicant's narrative and preliminary plans show the applicant will be installing stormwater facilities to address quality and quantity of stormwater runoff from the development prior to being released into an existing culvert adjacent to N College Street. A stormwater final report will need to be submitted with the Public Improvement Permit and will be completely reviewed at that time. Because the applicant has not submitted a final stormwater report or construction plans, the applicant will need to submit a final stormwater report and construction plans meeting the City's Public Works Design and Construction Standards and NMC 13.25 Stormwater Management requirements and obtain a Public Improvement Permit. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.

The criterion will be met if the aforementioned condition of approval is adhered to.

**Conclusion:** Based on the above-mentioned findings, the application meets the required criteria within the Newberg Development Code, subject to the completion of the attached conditions.

**Section III:  
Conditions – File SUB221-0003 Rourke Subdivision**

- A.** The applicant is conditioned to complete construction (i.e. required public improvements, utilities, streets) for the subdivision phase within two years of the preliminary plat approval.

The applicant is conditioned to record the final plat within the subdivision approval period. The applicant must provide the following information for review and approval prior to construction of any improvements:

1. Access easements and maintenance agreements shall be recorded for the shared driveways as part of the final platting process.
2. Construction plans must be submitted for all infrastructure, per the requirements below.
3. Future construction will be reviewed for compliance with all applicable lot and parking coverage requirements during the building permit review process.

**General Requirements for the Public Improvement Permit:**

The Public Works Design and Construction Standards require that the applicant submit engineered construction plans for review and approval of all utilities, public street improvements, and any new public streets being constructed. Please note that additional Engineering Department plan review application and fees apply for review of plans. Submit any required easements for review and approval and record approved easements. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved and all necessary permits have been obtained.

- a. Public utility infrastructure improvements not limited to street improvements, public walkways, water, wastewater, and stormwater will require permits from partner agencies to authorize different work tasks. All other agency permitting will be required prior to the City of Newberg issuing a Public Improvement Permit.

- B.** The applicant must provide the following information for review and approval prior to construction of any improvements:

**1. Street Trees**

- a. Street trees along N College Street will need to be from the approved street trees species list and planted 50 feet on center. The applicant will also need to ensure the planter strip contains grass, shrubs, and ground cover per NMC 15.420.010 required minimum standards for landscaping. Street trees are required along Rourke Court and will need to be placed 10 feet behind the curb tight sidewalk but outside the public utility easement. The trees will need to be 35 feet on center and from the approved street tree species list. The street trees will need to be planted prior to occupancy of Lots 1, 2, 5, 6, 7, 8, 10, 11 and 12. If the landscaping cannot

be completed prior to issuance of occupancy the applicant may place a security on file per NMC 15.420.010(C).

## **2. Streets, Pedestrian Walkways, Shared Driveway and Street Lighting**

- a. Final street improvement plans will need to be submitted and approved prior to applying for building permits.
- b. Final street improvement plans will need to be submitted for approval as part of the public improvement permit application.
- c. Final plans showing Rourke Court as a Limited Residential Street with no parking on both sides of the street shall be submitted as part of the public improvement permit.
- d. The applicant shall pay a proportional cost for the traffic control upgrade to the City of Newberg for the number of trips being added to the E Foothills Drive/OR219-N College Street intersection as a direct result of the development. The most severe impact to the operation of the intersection occurs during the PM peak period. The following formula was used to develop a Traffic Impact Fee to capture the proportional impact of the development:
  - i.  $(4 \text{ PM trips directly proportional to the development}) / (1111 \text{ PM peak hour total trips through the intersection}) * (\$825,000 \text{ for the TSP cost of an intersection upgrade}) = \$2,970 \text{ Traffic Impact Fee}$
- e. A right-of-way dedication of sufficient width to achieve the minimum of 69-feet of right-of-way and 24 feet of pavement from the new curb to the right-of-way center line along the site's N College Street frontage shall be recorded and documentation of the recording submitted prior to building permit applications.
- f. The applicant shall submit for approval from ODOT for access to N College Street with the Public Improvement Permit Application.
- g. Final plans showing Rourke Court as a Limited Residential Street with no parking on both sides of the street shall be submitted as part of the public improvement permit.
- h. Final plans meeting the requirements of the fire chief shall be submitted with the public improvement permit application.
- i. Final plans showing 6-foot sidewalks along Rourke Court and along the N College Street frontage shall be submitted for approval with the public improvement permit application.
- j. Final plans showing Rourke Court as a Limited Residential Street with 6-foot-wide sidewalks shall be submitted for approval with the public improvements permit application.

- k. Plans showing 5.5-foot-wide planter strips on N College shall be submitted for approval as part of the public improvement permit application. The applicant will need to obtain an ODOT permit for the N College Street frontage improvements prior to issuance of the City of Newberg Public Improvement Permit.
- l. Final plans showing the proposed public walkway connecting Rourke Court with N College Street with a 10-foot-wide paved surface to be submitted with the public improvements permit application.
- m. Final plans showing Rourke Court as a street with no parking, a mountable curb and curbside sidewalks will be required as part of the public works permit application.
- n. Prior to issuance of building permits, building plans to be submitted showing fire sprinkler systems in every building along Rourke Court.
- o. The applicant shall obtain approval of the name of the proposed residential street prior to installing street signs.
- q. Final plans are required to be submitted with permit applications showing the driveway for Parcel 1 located as far as possible from the intersection with N College Street.
- r. Access easements and maintenance agreements for both shared driveways shall be recorded prior to the final plat approval.
- s. The applicant shall submit for approval from ODOT for access to N College Street with the Public Improvement Permit Application.
- t. The applicant will be required to show via a lighting analysis that the proposed street lighting meets City standards or provide additional Option A street lighting that is compliant with the City's Public Works Design and Construction Standards.

### **3. Water**

- a. Final plans including the proposed water lines shall be submitted as part of the public improvement permit application.
- b. Results of fire flow tests performed by a private contractor hired by the applicant shall be submitted prior to issuance of building permits accordance with requirements of the fire marshal.

- c. Final water line plans will need to be submitted for approval as part of the public improvement permit application.
- d. Final plans including the proposed water lines shall be submitted as part of the public improvement permit application. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.

#### **4. Miscellaneous Permits**

- a. Applicant is to provide copies of any State and/or Federal permits related to the onsite wetlands and show compliance with any State and/or Federal permits, or provide documentation from State and/or Federal agencies that wetland/waters of the state related permits are not required, prior to issuance of permits from the City of Newberg.
- b. The applicant will be required to obtain and submit a DEQ 1200-C permit prior to issuance of a public improvement permit.
- c. The applicant will need to obtain an ODOT permit for the N College Street frontage improvements prior to issuance of the City of Newberg Public Improvement Permit.
- d. The applicant shall submit for approval from ODOT for access to N College Street with the Public Improvement Permit Application.

#### **5. Wastewater**

- a. Final plans for the proposed wastewater line will need to be submitted for approval as part of the public improvement permit application.
- b. Final plans of the proposed wastewater line with individual service laterals to each lot shall be submitted as part of the public improvements permit application. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.
- c. The existing septic system is to be decommissioned according to Yamhill County standards. Documentation of the septic system abandonment or removal in accordance with Yamhill County standards shall be submitted with the public improvement permit application.

#### **6. Easements**

- a. Final plans showing utility easements will be required as part of the public works improvement permit application.

- b. Access and utility easements and maintenance agreements for both shared driveways shall be recorded prior to the final plat approval.
- c. The applicant will be required to submit recorded documents that include necessary utility easements meeting the specifications and standards of the City's Public Works Design and Construction Standards, but not necessarily limited to:
  - i. 10-foot public utility easements along all public street frontages including Lot 10.
  - ii. 15-foot public access easement for the proposed public walkway.
  - iii. 25-foot access and utility easement for the water and sewer lines in both shared driveways.
  - iv. Maintain and protect all existing utilities easements encumbered on the property.

## 7. Stormwater

- a. A final stormwater management report and construction plans meeting the City's Public Works Design and Construction Standards will be required as part of the public works improvement permit application.
  - b. The applicant is also required to obtain ODOT approval and a permit from ODOT for the proposed storm system improvements along N College prior to issuance of a City Public Improvement Permit.
  - c. The applicant will need to submit a final stormwater report and construction plans meeting the City's Public Works Design and Construction Standards and NMC 13.25 Stormwater Management requirements and obtain a Public Improvement Permit. Utility designs and alignments will be reviewed as part of the Public Improvement Permit.
- C. The applicant must complete the following prior to final plat approval.
1. **Substantially Complete the Construction Improvements:** Prior to final plat approval, the applicant must substantially complete the construction improvements and secure for inspection with the Engineering Division (503-537-1273). In addition to those items listed below, the inspector will also be looking for completion of items such as sidewalks, street signs, streetlights, and fire hydrants.

ORS455.174 defines substantial completion as the completion of the:

- a. Water supply system;
- b. Fire hydrant system;



- c. Sewage disposal system;
- d. Storm water drainage system;
- e. Curbs;
- f. Demarcating of street signs acceptable for emergency responders; and
- g. Roads necessary for access by emergency vehicles.

**D.** Final plat submission requirements and approval criteria: In accordance with NDC final plans showing utility easements will be required prior to submitting for building permits. 15.235.070, final plats require review and approval by the director prior to recording with Yamhill County. The final plat submission requirements, approval criteria, and procedure are as follows:

1. Submission Requirements:

The applicant shall submit the final plat within two years, or as otherwise provided for in NMC 15.235.030. The format of the plat shall conform to ORS Chapter 92. The final plat application shall include the following items:

- a. One original and one identical copy of the final plat for signature. The plat copies shall be printed on mylar, and must meet the requirements of the county recorder and county surveyor. The plat must contain a signature block for approval by the city recorder and community development director, in addition to other required signature blocks for county approval. Preliminary paper copies of the plat are acceptable for review at the time of final plat application.
- b. Written response to any conditions of approval assigned to the land division.
- c. A title report for the property, current within six months of the final plat application date.
- d. Copies of any required dedications, easements, or other documents.
- e. Copies of all homeowner's agreements, codes, covenants, and restrictions, or other bylaws, as applicable. This shall include documentation of the formation of a homeowner's association, including but not limited to a draft homeowner's association agreement regarding the maintenance of planter strips adjacent to the rear yard of proposed through lots.
- f. Copies of any required maintenance agreements for common property.
- g. A bond, as approved by the city engineer, for public infrastructure improvements, if the improvements are not substantially complete prior to the final plat.
- h. Any other item required by the city to meet the conditions of approval assigned to the land division.

2. **Approval Process and Criteria.** By means of a Type I procedure, the director shall review and approve, or deny, the final plat application based on findings of compliance or noncompliance with the preliminary plat conditions of approval.

**E. Filing and recording:** In accordance with NMC 15.235.080, a new lot is not a legal lot for purposes of ownership (title), sale, lease, or development/land use until a final plat is recorded for the subdivision or partition containing the lot. The final plat filing and recording requirements are as follows:

1. **Filing Plat with County.** Within 60 days of the city approval of the final plat, the applicant shall submit the final plat to Yamhill County for signatures of county officials as required by ORS Chapter 92.
2. **Proof of Recording.** Upon final recording with the county, the applicant shall submit to the city a paper copy of all sheets of the recorded final plat. This shall occur prior to the issuance of building permits for the newly created lots.
3. **Prerequisites to Recording the Plat.**
  - a. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on the tax roll have been paid in the manner provided by ORS Chapter 92;
  - b. No plat shall be recorded until the county surveyor approves it in the manner provided by ORS Chapter 92.

**Development Notes:**

1. **Postal Service:** The applicant shall submit plans to the Newberg Postmaster for approval of proposed mailbox delivery locations. Contact the Newberg Post Office for assistance at 503-554-8014.
2. **PGE:** PGE can provide electrical service to the project under terms of the current tariff which will involve developer expense and easements. Contact the Service & Design Supervisor, PGE, at 503-463-4348.
3. **Zipty:** The developer must coordinate trench/conduit requirements with Zipty. Contact the Engineering Division, Zipty, at 541-269-3375.
4. **Addresses:** The Planning Division will assign address for the new subdivision. Planning Division staff will send out notice of the new address after they receive a recorded copy of the final subdivision plat.

**Attachment 1:  
Tentative Plat**

**Attachment 2:  
Application**



# TYPE II APPLICATION – LAND USE

RECEIVED

File #: SUB 221-0003

OCT 18 2021

**TYPES – PLEASE CHECK ONE:**

- Design review
- Tentative Plan for Partition
- Tentative Plan for Subdivision

- Type II Major Modification
- Variance
- Other: (Explain) \_\_\_\_\_

Initial: \_\_\_\_\_

**APPLICANT INFORMATION:**

APPLICANT'S CONSULTANT: AKS Engineering & Forestry, LLC - Glen Southerland, AICP  
 ADDRESS: 12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
 EMAIL ADDRESS: SoutherlandG@aks-eng.com  
 PHONE: (503) 563-6151 MOBILE: N/A FAX: (503) 563-6152  
 OWNER/APPLICANT: Bill Rourke PHONE: \_\_\_\_\_ Please contact Applicant's Consultant  
 ADDRESS: 1201 Fulton Street, No 13, Newberg, OR 97132  
 ENGINEER/SURVEYOR: AKS Engineering & Forestry - Paul Sellke, PE PHONE: (503) 563-6151  
 ADDRESS: 12965 SW Herman Road, Suite 100, Tualatin, OR 97062

**GENERAL INFORMATION:**

PROJECT NAME: Rourke Development PROJECT LOCATION: 4016 N College Street  
 PROJECT DESCRIPTION/USE: 12-lot Subdivision for single-family residences PROJECT VALUATION: \_\_\_\_\_  
 MAP/TAX LOT NO. (i.e. 3200AB-400): 3 2 08 Tax Lot 2900 ZONE: R-1 SITE SIZE: ±2.34 SQ. FT.  ACRE   
 COMP PLAN DESIGNATION: Low Density Residential TOPOGRAPHY: Generally flat  
 CURRENT USE: One single-family detached residence & outbuilding  
 SURROUNDING USES:  
 NORTH: Institutional Zone, Churches SOUTH: R-1/Specific Plan, Single-family residential  
 EAST: Institutional Zone, Churches WEST: LDR, Single-family residential

**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 Review .....	p. 12
Partition Tentative Plat .....	p. 14
Subdivision Tentative Plat .....	p. 17
Variance Checklist .....	p. 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.

[Signature] 10-5-21  
 Applicant Signature Date  
J Wm. Rourke Jr  
 Print Name

[Signature] 10-5-21  
 Owner Signature Date  
J Wm. Rourke Jr  
 Print Name

## **GENERAL INFORMATION**

### **Type II Development Permit Process**

**Overview:** Type II Permit applications are reviewed administratively using a process in which City staff apply clear and objective standards that do not allow limited discretion. Notice is provided to property owners within 500 ft of the site so that they may provide input into the process. The noticing comment period is limited to 14 days in which written comments may be filed. The applicant or any person that comments in writing is able to appeal the staff decision to the Planning Commission. During the 14 day notice period, anyone may request that a Type II Subdivision decision be converted to a Type III process and that a hearing be held before the Planning Commission. Type II Decisions may take from 30 to 120 days.

#### **Type II Permits Include:**

- Design review for commercial, industrial and multi-family projects
- *Manufactured home parks and mobile home parks.*
- Partitions
- Subdivisions except those meeting the criteria in NDC § 15.235.030(A)
- Variances

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#### **Pre-Application Conference:**

Please call to schedule a time for a pre-application meeting (optional) prior to submitting an application. The (Development Review Meetings) or pre-application meetings are held every Wednesday. This meeting provides the opportunity to get advance information from Planning, Engineering, and Building divisions all at once. It is likely to save you time and effort later. The non-refundable pre-application conference fee is \$105, payable prior to the conference.

#### **Submit Type II Application**

- ◆ Pay fees
- ◆ Complete application form(s)
- ◆ Submit plans and other required information

#### **Processing**

- ◆ Staff will perform a completeness check of the application and notify applicant of any information that is missing or incomplete. Processing time 0 to 30 days.
- ◆ Staff will route the application to affected agencies and City departments Processing time 14 to 20 days
- ◆ Applicant will provide copies of mailed and posted notices to the City for review, mail the approved notice to property owners within 500 ft. of the site, post the site, and provide staff with an affidavit verifying that the notice was mailed and posted. Processing Time: 14 to 20 days.
- ◆ Subdivision Conversion to Type III Review. During the 14 day comment period, anyone may request that a subdivision application be converted to a Type III review process. If this occurs, the subdivision will be reviewed by the Planning Commission at their next available meeting. Processing Time: 30 to 60 days.
- ◆ If all comments are addressed and no changes are required, then an approval letter is sent to the applicant and those providing comment. Processing Time: 14 to 20 days.

## **GENERAL INFORMATION**

### **Type II Development Permit Process**

#### **Appeals**

If the applicant, or another party providing written comments within the noticing period, is dissatisfied with the decision; then an appeal must be filed within 14 calendar days of the issuance of the decision. Appeals of Type II decisions proceed to the Planning Commission and are processed as a Type III decision.

#### **Partition and Subdivision Plats**

The applicant must submit final improvement plans and a final partition or subdivision plat within two years of the date of preliminary plat approval. Final plats are processed under a Type I decision.

#### **Building Permits**

The applicant may submit building permit applications concurrently with submission of other development applications; however, no building permits will be issued until the appeal period has expired on pending development applications

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#### **Helpful Hints:**

##### **Questions?**

Information is free! Please do not hesitate to call (503) 537-1240 prior to submitting the application.

##### **Partial Applications**

Please do not submit partial applications. If the application, plans, and fee are not submitted together; processing will be delayed and the application may not be accepted for review.

##### **Face-to-Face**

It is best to submit an application in person. That way you can receive immediate feedback if there is missing information or suggestions for improvements.

# NEWBERG PERMIT CENTER FEE SCHEDULE Effective Date: April 1, 2021

5% Technology fee will be added to total fees (resolution No. 2016-3268)

PRE-APPLICATION REVIEW .....	\$100
<b>TYPE I (ADMINISTRATIVE REVIEW)</b>	
ANY TYPE I ACTION NOT SPECIFICALLY LISTED IN THIS SECTION .....	\$182
PROPERTY CONSOLIDATION .....	\$182
CODE ADJUSTMENT .....	\$455
DESIGN REVIEW - TYPE I (DUPLX OR COM. /IND. MINOR ADDITION REVIEW) .....	0.3% OF PROJECT VALUE, \$455 MINIMUM
MINOR MODIFICATION OR EXTENSION OF TYPE I DECISION .....	\$182
MAJOR MODIFICATION OF TYPE I DECISION .....	50% OF ORIGINAL FEE
PARTITION FINAL PLAT .....	\$913 + \$80 PER PARCEL
PROPERTY LINE ADJUSTMENT .....	\$913
SIGN REVIEW .....	\$10 PLUS \$1.00 PER SQ. FT. OF SIGN FACE
SUBDIVISION, PUD, OR CONDOMINIUM FINAL PLAT .....	\$1830 + \$80 PER LOT OR UNIT
<b>TYPE II (LAND USE DECISION)</b>	
ANY TYPE II ACTION NOT SPECIFICALLY LISTED IN THIS SECTION .....	\$913
MINOR MODIFICATION OR EXTENSION OF TYPE II DECISION .....	\$182
MAJOR MODIFICATION OF TYPE II DECISION .....	50% OF ORIGINAL FEE
DESIGN REVIEW (INCLUDING MOBILE/MANUFACTURED HOME PARKS) .....	0.6% OF TOTAL PROJECT COST, \$913 MINIMUM*
PARTITION PRELIMINARY PLAT .....	\$913 PLUS \$80 PER PARCEL
SUBDIVISION PRELIMINARY PLAT .....	\$1830 PLUS \$80 PER LOT
VARIANCE .....	\$913
<b>TYPE III (QUASI-JUDICIAL REVIEW)</b>	
ANY TYPE III ACTION NOT SPECIFICALLY LISTED IN THIS SECTION .....	\$1939
ANNEXATION .....	\$2549 PLUS \$244 PER ACRE
COMPREHENSIVE PLAN AMENDMENT (SITE SPECIFIC) .....	\$2389
CONDITIONAL USE PERMIT .....	\$1939
MINOR MODIFICATION OR EXTENSION OF TYPE III DECISION .....	\$182
MAJOR MODIFICATION OF TYPE III DECISION .....	50% OF ORIGINAL FEE
HISTORIC LANDMARK ESTABLISHMENT OR MODIFICATION .....	\$0
HISTORIC LANDMARK ELIMINATION .....	\$2223
SUBDIVISION PRELIMINARY PLAT .....	\$1830 PLUS \$80 PER LOT
PLANNED UNIT DEVELOPMENT .....	\$3872+\$80 PER LOT OR UNIT
ZONING AMENDMENT (SITE SPECIFIC) .....	\$2415
<b>TYPE IV (LEGISLATIVE AMENDMENTS)</b>	
COMPREHENSIVE PLAN TEXT AMENDMENT OR LARGE SCALE MAP REVISION .....	\$2747
DEVELOPMENT CODE TEXT AMENDMENT OR LARGE SCALE MAP REVISION .....	\$2747
<b>APPEALS</b>	
TYPE I OR II APPEAL TO PLANNING COMMISSION .....	\$524
TYPE I OR II APPEAL TO CITY COUNCIL .....	\$950
TYPE III APPEAL TO CITY COUNCIL .....	\$1115
TYPE I ADJUSTMENTS OR TYPE II VARIANCES (THAT ARE NOT DESIGNED TO REGULATE THE PHYSICAL CHARACTERISTICS OF A USE PERMITTED OUTRIGHT) .....	\$294
EXHIBITOR LICENSE FEE APPEAL TO THE CITY COUNCIL .....	50% OF EXHIBITOR LICENSE FEE
<b>OTHER FEES</b>	
<del>TECHNOLOGY FEE (This fee will be added to all Planning, Engineering and Building Fees, does not apply to SDC fees) 5% OF TOTAL</del>	
EXPEDITED LAND DIVISION .....	\$6803 + \$80 PER LOT OR UNIT
URBAN GROWTH BOUNDARY AMENDMENT .....	\$4348
VACATION OF PUBLIC RIGHT-OF-WAY .....	\$1804
FEE-IN-LIEU OF PARKING PROGRAM .....	\$13,780 PER VEHICLE SPACE
BIKE RACK COST SHARING PROGRAM .....	\$100 PER RACK
<b>LICENSE FEES</b>	
GENERAL BUSINESS .....	\$50
HOME OCCUPATION .....	\$25
PEDDLER/SOLICITOR/STREET VENDOR .....	No fee (Business License fee only)
EXHIBITOR .....	\$134
TEMPORARY MERCHANT .....	\$109/45 days or \$361/perpetual

<b>ADDITIONAL LAND USE REVIEW FEES - ENGINEERING DEPARTMENT</b>	
Planning Review, Partition, Subdivision & PUD's (Type 11/111 Application) - \$296.71 - 19 lots, Plus \$13.90 per lot over 19 lots	
Final Plat Review, Partition and subdivision .....	\$296.71 Plus .....\$7.45 per lot or parcel
Development review for public improvements on Commercial, Industrial, Multifamily Developments & Institutional zones	
<b>\$414.95 1st Acre \$237.02 Additional acre</b>	

ADOPTION AND REVISION HISTORY:  
 Adopted by: Resolution 99-2122, July 6, 1998  
 Amended by: Resolution 99-2214, December 8, 1999  
 Resolution 2000-2265, October 2, 2000  
 Resolution 2001-2318, November 19, 2001  
 Executive Order January 2, 2007 (Reso. 99-2210)  
 Executive Order October 24, 2008  
 Executive Order, December 16, 2002 pursuant to Resolution 99-2210

Executive Order, January 22, 2002 pursuant to Resolution 99-2210  
 Resolution 2004-2466, November 3, 2003  
 Resolution 2007-2752, December 3, 2007  
 Executive Order November 29, 2011(2011-32)  
 Executive Order October 24, 2012(2012-34)  
 Resolution 2014-3140, May 19, 2014  
 Executive Order April 1, 2015 (2015-42)  
 Resolution 2016-3268, April 18, 2016

Resolution 2017-3361 March 2017  
 Resolution 2018-3443 March 2018  
 Resolution 2019-3539 March 2019  
 Resolution 2020-3646 March 2020  
 Resolution 2021-3722 March 2021



## § 15.235.050 - TYPE II LAND DIVISION CRITERIA

### DEFINITIONS:

**PARTITION:** To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year.

**SUBDIVISION:** To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

**FINAL PLAT:** A Final plat and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

### 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.

B. Property line adjustments and lot consolidation requests (i.e., no new lot is created) are subject to Chapter 15.230 NMC; they are not subject to this section.

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

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.

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.

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.

### PROVIDE A WRITTEN RESPONSE THAT SPECIFIES HOW YOUR PROJECT MEETS THE FOLLOWING 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;
2. All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of NMC Division 15.400, Development Standards;
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;
4. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;
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;

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

## LAND DIVISION TENTATIVE PLAN CHECKLIST

The following information shall be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division staff regarding additional requirements for your project.

**FEES**

**PUBLIC NOTICE INFORMATION** – Draft of mailer notice and sign; mailing list of all properties within 500’.

**SUBMIT** one original and three copies of the application elements, including two (2) full size plan sets and two (2) reduced, reproducible sets (8-1/2" x 11" or 11" x 17") Additional copies will be requested once the application is reviewed for completeness.

**CURRENT TITLE REPORT** - (within 60 days old)

**WRITTEN CRITERIA RESPONSE** – Address the criteria listed on previous page .

**Preliminary Plat**

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."

### 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.

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.

N/A

- CC&Rs:** Include a copy of any proposed codes, covenants and restrictions (CC&Rs) which will apply to the project. CC&Rs, if proposed, will be submitted with application for Final Subdivision Plat.

**TRAFFIC ANALYSIS**

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 characteristic could affect the 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 other applicable roadway authority.

**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 and mitigation or improvements necessary to the public facilities to adequately serve the development per city standards under adopted ordinances and master plans.

**STORMWATER ANALYSIS**

The stormwater analysis shall address the criteria listed in Chapter 13.25 NMC

**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.

N/A

**WETLAND DELINEATION**

A wetland delineation approved by the Oregon Department of State Lands (DSL) shall be submitted for any property listed on the National wetlands Inventory (NWI) or that is located within the city's mapped stream corridor.



# Rourke Development Preliminary Subdivision Plat Application

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**Date:** October 2021

**Submitted to:** City of Newberg  
Planning Department  
414 E 1<sup>st</sup> Street  
Newberg, OR 97132

**Applicant:** Rourke Development, LLC  
1201 Fulton Street No. 13  
Newberg, OR 97132

**AKS Job Number:** 4612



12965 SW Herman Road, Suite 100  
Tualatin, OR 97062  
(503) 563-6151

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## Exhibits

- Exhibit A:** Preliminary Plans
  - Exhibit B:** Application Forms and Checklists
  - Exhibit C:** Yamhill County Assessor’s Map
  - Exhibit D:** Ownership Information
  - Exhibit E:** Sample Public Notice and Mailing Information
  - Exhibit F:** Traffic Memo
  - Exhibit G:** Preliminary Stormwater Report
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# Rourke Development Preliminary Subdivision Plat Application

<b>Submitted to:</b>	City of Newberg Planning Department 414 E 1 <sup>st</sup> Street Newberg, OR 97132
<b>Applicant:</b>	Rourke Development, LLC 1201 Fulton Street No. 13 Newberg, OR 97132
<b>Property Owners:</b>	Bill Rourke 1201 Fulton Street No. 13 Newberg, OR 97132
<b>Applicant's Consultant:</b>	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062
	Contact(s): Glen Southerland, AICP Email: SoutherlandG@aks-eng.com Phone: (503) 563-6151
<b>Site Location:</b>	East of N College Street (OR 219/Hillsboro-Silverton Highway No. 140) and south of NE Bell Road, Newberg, OR
<b>Yamhill County Assessor's Map:</b>	3 2 08, Tax Lot 2900
<b>Site Size:</b>	±2.34 acres
<b>Land Use Districts:</b>	Low Density Residential (R-1)



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## **I. Executive Summary**

On behalf of William Rourke (Applicant), AKS Engineering & Forestry, LLC submits this application for a 12-lot subdivision to accommodate the future development of detached single-family homes. The Preliminary Plans (Exhibit A) show the extent of the project including 12 single-family lots, dedication and improvement of a street to serve the subdivision, stormwater facility, and other utility improvements.

This application includes the City application forms, written materials, and preliminary plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application.

## **II. Site Description/Setting**

The subject site for this Preliminary Subdivision Plat application is located at 4016 N College Street within the City of Newberg, is ±2.34 acres in total size, and is comprised of Tax Lot 2900, Yamhill County Assessor's Map 3 2 08. The lot is located immediately east of N College Street (Oregon Route 219/Hillsboro-Silverton Highway No. 140), south of NE Bell Road and the Veritas School, west of North Valley Friends Church, and north of Madison Drive.

For brevity, N College Street/Oregon Route 219 (OR 219)/Hillsboro-Silverton Highway No. 140 is referred to within this narrative as N College Street.

The property includes an existing single-family residence with a single outbuilding, gentle slope, and waters located at the north end of the property. Adjacent properties to the south and west feature single-family homes within Yamhill County Very Low Density Residential (VLDR-1) zoning district and City of Newberg Low Density Residential (R-1) zoning district with a Specific Plan (SP) zoning overlay subdistrict. Properties to the north and east are within the City's Institutional zone.

## **III. Applicable Review Criteria**

This preliminary subdivision application involves the development of land for housing. Oregon Revised Statute (ORS) 197.307(4) states that a local government may apply only clear and objective standards, conditions, and procedures regulating the provision of housing, and that such standards, conditions, and procedures cannot have the effect, either in themselves or cumulatively, of discouraging housing through unreasonable cost or delay. This preliminary subdivision plat application involves a "limited land use application" as that term is defined in ORS 197.015 (12), as it involves a tentative partition plan for property within an Urban Growth Boundary (UGB).

Oregon Courts and the Land Use Board of Appeals (LUBA) have generally held that an approval standard is not clear and objective if it imposes on an applicant "subjective, value-laden analyses that are designed to balance or mitigate impacts of the development" (*Rogue Valley Association of Realtors v. City of Ashland*, 35 Or LUBA 139, 158 [1998] *aff'd*, 158 Or App 1 [1999]). ORS 197.831 places the burden on local governments to demonstrate that the standards and conditions placed on housing applications can be imposed only in a clear and objective manner. While this application addresses all standards and conditions, the Applicant reserves the right to object to the enforcement of standards or conditions that are not clear and objective and does not waive its right to assert that the housing statutes apply to this application. [The exceptions in ORS 197.307(4)(a) and 197.307(5) do not apply to this application. ORS 197.307(7)(a) is controlled by ORS 197.307(4)].

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ORS 197.195(1) describes how certain standards can be applied to a limited land use application. The applicable land use regulations for this preliminary subdivision are found in the Newberg Municipal Code. Pursuant to ORS 197.195(1) Comprehensive Plan provisions (as well as goals, policies, etc. from within the adopted elements of the Comprehensive Plan) may not be used as a basis for a decision or an appeal of a decision unless they are specifically incorporated into the Newberg Municipal Code.

While this application addresses all applicable standards and criteria, the Applicant reserves the right to object to the enforcement of standards or conditions that are not clear and objective and does not waive its right to assert that the attempted enforcement of Comprehensive Plan provisions that are not specifically listed in the Newberg Municipal Code.

Newberg Municipal Code

Title 15 Development Code

Chapter 15.100 LAND USE PROCESSES AND PROCEDURES

Article I. Procedure Types and Determination of Proper 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:
  - [...]
  - 5. Subdivisions, except for subdivisions with certain conditions requiring them to be processed using the Type III process, pursuant to NMC 15.235.030(A).
- C. The applicant shall provide notice pursuant to the requirements of NMC 15.100.200 et seq.
- D. The director shall make a decision based on the information presented and shall issue a development permit if the applicant has complied with all of the relevant requirements of this code. The director may add conditions to the permit to ensure compliance with all requirements of this code.
- E. Appeals may be made by an affected party, Type II, in accordance with NMC 15.100.160 et seq. All Type II development action appeals shall be heard and decided by the planning commission.
- F. If the director's decision is appealed as provided in subsection (E) of this section, the hearing shall be conducted pursuant to the Type III quasi-judicial hearing procedures as identified in NMC 15.100.050.
- G. The decision of the planning commission on any appeal may be further appealed to the city council by an affected party, Type III, in accordance with NMC 15.100.160 et seq. and shall be a review of the record supplemented by written or oral arguments relevant to the record presented by the parties.
- H. An applicant shall have the option to request at the time the development permit application is submitted that the proposal be reviewed under the Type III procedure.

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**Response:** This application includes a preliminary subdivision plat for a 12-lot subdivision and is therefore a Type II action. It is understood that the requirements and procedures listed in this section apply to this application.

15.100.140 Permit decision – Type II.

- A. The director shall approve or deny the development permit for a Type II action within 60 days of accepting a complete permit application, unless it is a subdivision which has been converted to a Type III process pursuant to NMC 15.235.030(A).
- B. The applicant shall provide notice pursuant to NMC 15.100.200 et seq. together with a 14-day comment period for the submission of written comments prior to the decision.
- C. The decision of the director shall be based upon the application, the evidence, comments from referral agencies, and approvals required by others.
- D. The director shall notify the applicant and others entitled to notice of the disposition of the application. The notice shall indicate the date that the decision will take effect and describe the right of appeal pursuant to NMC 15.100.160 et seq. A decision on a Type II development shall take effect on the fifteenth day following the notice of a decision unless an appeal is filed pursuant to NMC 15.100.160 et seq.
- E. Approval or denial of a Type II development permit application shall be accompanied by written findings that explain the criteria, facts and justification for the decision.
- F. The director shall approve a permit application if applicable approvals by others have been granted and the proposed development or land use request otherwise conforms to the requirements of this code. The director may add conditions to the permit to ensure compliance with all requirements of this code.
- G. The director shall deny the permit application if required approvals are not obtained or the application otherwise fails to comply with code requirements.
- H. Notice of approval or denial of a Type II decision shall be provided to the applicant, parties providing written testimony, or anyone requesting such notice. Notice shall include a description of the item, the decision, conditions that may have been added, and the rights of appeal.
- I. Type II applications are required to be reviewed under the Type III procedures at the request of the applicant, or the application is a subdivision which has been converted to a Type III process pursuant to NMC 15.235.030(A), or through an appeal of the director's decision. Type II development permit applications that require a Type III procedure must conclude the hearing procedure before a land use or construction permit application can be considered to be complete by the director. Upon receiving a final decision by the hearing body on a Type III application,

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the subsequent review of a permit application may be reviewed by the director as a Type I process.

15.100.210 Mailed notice.

Mailed notice shall be provided as follows:

- A. Type I Actions. No public notice is required.
- 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.
  - 3. To the owner of a public use airport, subject to the provisions of ORS 215.416 or 227.175.
- C. The director may request that the applicant provide notice to people other than those required in this section if the director believes they are affected or otherwise represent an interest that may be affected by the proposed development. This includes, but is not limited to, neighborhood associations, other governmental agencies, or other parties the director believes may be affected by the decision.
- D. The director shall provide the applicant with the following information regarding the mailing of notice:
  - 1. The latest date by which the notice must be mailed;
  - 2. An affidavit of mailing (to be signed and returned) certifying that the notice was mailed, acknowledging that a failure to mail the notice in a timely manner constitutes an agreement by the applicant to defer the 120-day process limit and acknowledging that failure to mail will result in the automatic postponement of a decision on the application; and
  - 3. A sample notice.
- E. The notice of a Type II and Type III development application shall be reasonably calculated to give actual notice and shall:
  - 1. Set forth the street address or other easily understood geographical reference to the subject property;
  - 2. List, by commonly used citation, the applicable criteria for the decision;
  - 3. Include the name and phone number of a local government contact person, the telephone number

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where additional information may be obtained and where information may be examined;

4. Explain the nature of the application and the proposed use or uses which could be authorized;
  5. State that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at a reasonable cost.
- F. Prior to mailing or posting any notice required by this code, the applicant shall submit a copy of the notice to the director.
- G. The applicant shall mail the notice for Type II actions at least 14 days before a decision is rendered. The applicant shall file with the director an affidavit of mailing as identified in subsection (D) of this section within two business days after notice is mailed.
- H. The applicant shall mail the notice for Type III actions at least 20 days before the first new hearing, or if two or more new hearings are allowed, 10 days before the first new hearing. The applicant shall file with the director an affidavit of mailing as identified in subsection (D) of this section within two business days after notice is mailed.
- I. All public notices shall be deemed to have been provided or received upon the date the notice is deposited in the mail or personally delivered, whichever occurs first. The failure of a property owner to receive notice shall not invalidate an action if a good faith attempt was made to notify all persons entitled to notice. An affidavit of mailing issued by the person conducting the mailing shall be conclusive evidence of a good faith attempt to contact all persons listed in the affidavit.
- J. Failure to mail the notice and affirm that the mailing was completed in conformance with the code shall result in:
1. Postponement of a decision until the mailing requirements have been met; or
  2. Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; or
  3. The entire process being invalidated; or
  4. Denial of the application.

15.100.220 Additional notice procedures of 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;

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- 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.

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

- A. **Posted Notice Required.** Posted notice is required for all Type II and III procedures. The notice shall be posted on the subject property by the applicant.
- B. **Notice Information Provided by City.** The director shall provide the applicant with the following information regarding the posting of notice:
  - 1. The number of notices required;
  - 2. The latest date by which the notice must be posted;
  - 3. An affidavit of posting (to be signed and returned) certifying that the notice was posted on site, acknowledging that a failure to post the notice in a timely manner constitutes an agreement by the applicant to defer the 120-day process limit and acknowledging that failure to post will result in the automatic postponement of a decision on the application; and
  - 4. A sample notice.
- C. **Submission of Notice.** Prior to posting any notice required by this section, the applicant shall submit a copy of the notice to the director for review.
- D. **Size, Number and Location Requirements.** A waterproof notice which measures a minimum of two feet by three feet shall be placed on each frontage of the site. If a frontage is over 600 feet long, a notice is required for each 600 feet, or fraction of 600 feet. If possible, notices shall be posted within 10 feet of a street lot line and shall be visible to pedestrians and motorists in clear view from a public right-of-way. Notices shall not be posted in a public right-of-way or on trees.
- E. **Contents of Notice.** The posted notice shall only contain the following information: planning action number, brief description of the proposal, phone number and address for contact at the Newberg planning and building department.
- F. **Standards and Timing, Type II Actions.** The applicant shall post the notice at least 14 days before a decision is rendered. The applicant shall file with the director an affidavit of posting as identified in subsection (B) of this section within two business days after notice is posted.

- G. Standards and Timing, Type III Actions. The applicant shall post the notice at least 10 days before the first scheduled hearing. The applicant shall file with the director an affidavit of posting as identified in subsection (B) of this section within two business days after notice is posted.
- H. Removal of Notice. The applicant shall not remove the notice before the final decision. All posted notice shall be removed by the applicant within 10 days following the date of the final decision on the request.
- I. Failure to Post Notice. The failure of the posted notice to remain on the property shall not invalidate the proceedings. Failure by the applicant to post a notice and affirm that the posting was completed in conformance with the code shall result in:
  - 1. Postponement of a decision until the mailing requirements have been met; or
  - 2. Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; or
  - 3. The entire process being invalidated; or
  - 4. Denial of the application.

**Response:** The Applicant will provide public notice as required by Newberg Municipal Code (NMC) 15.100.210. A mailing list, sample notice, and sample site notice sign are included in Exhibit E. The criteria are met or will be met when applicable.

Division 15.200 Land Use Applications

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:** The preliminary plat is submitted for review and approval with this application package. This criterion is met.

**Response:** The final plat will be submitted following approval of the preliminary subdivision plat and completion of conditions of approval for the approval. This standard will be met at a future date.

[...]

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



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**Response:** This application for preliminary subdivision plat is in compliance with the applicable regulations of Oregon Revised Statutes (ORS) Chapter 92. This criterion is met.

- 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.
- 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.
- 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.

**Response:** Adequate street facilities and public utilities such as water, wastewater, and stormwater are available to serve this application for 12-lot subdivision. Further review of each utility and public facility is included later within this narrative. This criterion is met.

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;

**Response:** The project site is wholly within the city limits and the Urban Growth Boundary. This criterion does not apply to this project.

- 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;

**Response:** The project site includes wetlands and waters on portions of Lots 9 and 10. These resources are not mapped or included within the comprehensive plan or land use regulations; therefore, the preliminary subdivision plat remains a Type II Procedure. This criterion does not apply.

- 3. The proposed land division does not comply with the minimum street connectivity standards identified in NMC 15.505.030;

**Response:** The planned preliminary subdivision plat complies with the applicable regulations of NMC 15.505.030, further reviewed later within this narrative. This criterion is inapplicable to the project.

- 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

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density permitted in the zoning designation for the site;

**Response:** Per the City’s Comprehensive Plan (as amended June 21, 2021), Section III.2.a, areas subject to the Low Density Residential (LDR) plan designation (which corresponds to the R-1 zoning district) are allowed densities up to 4.4 dwelling units per acre. NMC 15.302.032(A)(1) establishes that the district should provide an average overall density of 4.4 units per gross buildable acre. The target density of the district is achieved by providing lots which meet the average minimum lot size for the R-1 zoning district. The project provides greater than 80 percent of the maximum net density permitted under the plan designation of the site. The condition does not apply to this application.

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

**Response:** The Applicant has not requested that the proposal be referred to the Planning Commission for a decision. This condition does not apply to this application.

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:** This criterion is understood.

B. Preliminary Plat Approval Period. Preliminary plat approval shall be effective for a period of two years from the date of approval. The preliminary plat shall lapse if a final plat has not been submitted or other assurance provided, pursuant to NMC 15.235.070. Phased subdivisions may be approved, pursuant to subsection (E) of this section, with an overall time frame of not more than two years between preliminary plat and final plat approvals. In no case shall phased subdivision approval extend for more than five years from the approval date.

C. Extensions. The original approval body may, upon written request by the applicant and payment of the required fee, grant a one-time extension of the approval period for an additional one year. Extension approval will require written findings to the following criteria:

1. The applicant has submitted written intent to file a final plat within the one-year extension period;
2. An extension of time will not prevent the lawful development of abutting properties;
3. There have been no changes to the applicable code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and
4. The extension request is made before expiration of the original approved plan.

**Response:** These standards are understood.

- 
- D. **Modifications to Approved Preliminary Plats.** The applicant may request changes to the approved preliminary plat or conditions of approval. Modification requests may either be deemed minor modifications or major modifications, according to the following criteria and at the determination of the director:
1. **Minor Modifications.** Minor modifications are reviewed through the Type I procedure, pursuant to NMC 15.100.020. Minor modifications retain consistency with the general layout and pattern of the approved plan and do not modify an element of the approved plan by a quantifiable standard of greater than 10 percent. Minor modifications may include the following:
    - a. Relocations of property lines, streets, walkways, and alleys;
    - b. Changes to the site utilities;
    - c. Changes which increase or decrease the number of lots; and
    - d. Modifications to the conditions of approval where an alternate method will derive the same result intended by the condition, or where a condition is deemed to be met in a different way than specified in the staff report.
  2. **Major Modifications.** Major modifications are reviewed through the same procedure as the original approval procedure. Major modifications are any proposed changes to elements of the approved plan or conditions of approval not meeting the thresholds in subsection (D)(1) of this section.
- E. **Phased Subdivision.** The city may approve a phased subdivision, provided the applicant proposes a phasing schedule that meets all of the following criteria:
1. In no case shall the construction time period (i.e., for required public improvements, utilities, streets) for the first subdivision phase be more than one year;
  2. Public facilities shall be constructed in conjunction with or prior to each phase;
  3. The phased development shall not result in requiring the city or a third party (e.g., owners of lots) to construct public facilities that are required as part of the approved development proposal;
  4. The proposed time schedule for phased development approval shall be reviewed concurrently with the preliminary subdivision plat application; and

- 
5. Modifications to the phasing schedule or phasing elements will be processed in accordance with subsection (D) of this section.

**Response:** These standards are understood.

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:** The information required for a Type II Application has been included as part of this application package. This criterion is met.

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:** A traffic memo is provided as part of this application package as Exhibit F. This criterion is met.

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:** The impacts of connection to City utilities with this 12-lot subdivision will be minimal.

Water service is available within the N College Street right-of-way. Service is planned to be looped, with connection points at the intersection of Rourke Court and north of Lot 11. Excess capacity exists at the Oak Knoll Pump Station and the Bell Road Pump Station is scheduled to come online sometime in 2022. Conversations with the City have indicated that sufficient capacity exists to serve this 12-lot subdivision.

Wastewater lines are available alongside the N College Street right-of-way within an existing variable-width easement. The existing 10-inch sanitary sewer main is planned to connect to new, proposed utilities at a manhole at the intersection of Rourke Court and N College Street.

Stormwater will be handled on-site within the Tract A stormwater facility. Existing stormwater drainage ditches along N College Street will be rerouted from the western edge of the N College Street right-of-way to stormwater management facilities within

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Tract A. Overflow will be directed to an existing 18-inch stormwater main within the N College Street right-of-way south of the site.

Electric utilities are available within the N College Street right-of-way. Overhead utilities are not present adjacent to the property. Electric utility service is planned to be continued to the new subdivision via undergrounded facilities.

This criterion is met.

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

**Response:** A Preliminary Stormwater Report addressing the criteria included within NMC 13.25 is included with this application as Exhibit G. This criterion is met.

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 project site does not include features illustrated within the National Wetlands Inventory (NWI) or the City's mapped stream corridors; therefore, an approved Wetland Delineation has not been submitted for review as part of this application. This criterion does not apply.

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:** A Future Streets Concept Plan has been included as part of Exhibit A. Rourke Court provides access to the subdivision via N College Street. Projects designated by the City's Transportation System Plan (TSP) are not within the 400-foot vicinity of the project site and were not shown. Surrounding properties are generally fully developed. Existing and proposed streets, street connections, existing and proposed subdivisions, and unsubdivided land are illustrated on the Future Streets Concept Plan. This criterion is met.

- 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;

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- 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 name of the plat will be “Rourke Development.” This name has been reserved for the project through the Yamhill County Surveyor’s Office. Other requested information has been provided as part of the Preliminary Plans attached as Exhibit A. These criteria are satisfied.

- 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

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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:** The required existing conditions, as applicable, have been included within the Existing Conditions Plan included as part of Exhibit A. These criteria are met.

- 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 total number and type of dwellings proposed, 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.

**Response:** The required information has been included as part of these application materials. These criteria are met.

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:** The proposed preliminary subdivision plat conforms to the applicable requirements of NMC 15.235. This criterion is met.

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

**Response:** The proposed preliminary subdivision plat conforms to the applicable requirements of NMC 15.400, reviewed later within this narrative document. This criterion is met.

3. Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, wastewater, stormwater, and



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streets, shall conform to NMC Division 15.500, Public Improvement Standards;

**Response:** The proposed preliminary subdivision plat conforms to the applicable requirements of NMC 15.500, reviewed later within this narrative. This criterion is met.

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

**Response:** The proposed plat name is not already reserved for or recorded for another subdivision and satisfies the applicable provisions of ORS Chapter 92. This criterion is met.

5. The proposed streets, utilities, and stormwater facilities are adequate to serve the proposed development at adopted level of service standards, 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:** The proposed streets, utilities, and stormwater facilities are adequate to serve the proposed development at the level of adopted standards, conform to adopted City master plans and applicable public works design and construction standards, and allows for transition to existing and potential future development on adjacent properties. Proposed public improvements and dedications associated with the project have been demonstrated on the Preliminary Plat and are adequate to serve the proposed development. This criterion is satisfied.

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 project's stormwater facility is planned to be contained within a private common area, Tract A. Tract A is identified on the preliminary plat and maintenance of the area will be assured through appropriate recorded maintenance agreements, to be submitted at a later date. This criterion is met.

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

**Response:** Applicable and required permits from state and federal agencies can be obtained prior to development. This criterion can be met.

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 application materials demonstrate that improvements or conditions required by the City, the Oregon Department of Transportation (ODOT), Yamhill County, utilities, and any

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special districts or service providers, as applicable to the project, have been or can be met.

- 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.

**Response:** This standard is understood.

15.235.060 Land division related code adjustments and variances.

Code adjustments and variances shall be processed in accordance with Chapters 15.210 and 15.215 NMC. Applications for code adjustments and variances related to the proposed land division shall be submitted at the same time an application for land division is submitted; the applications shall be reviewed concurrently.

**Response:** Code adjustments and variances have not been sought as part of this application. This criterion does not apply.

[...]

Division 15.300 Zoning Districts

Chapter 15.302 Districts and Their Amendment

15.302.032 Purposes of each zoning district.

A. R-1 Low Density Residential District.

1. The purpose of this land use designation is to provide for low density urban single-family residential uses at an average overall density of 4.4 units per gross buildable acre in the district. It is intended to provide a stable and healthful environment together with the full range of urban services.

**Response:** The project provides low density urban single-family residential uses at a similar overall density of 4.4 units per gross buildable acre, at 5.1 units per gross buildable acre. Newberg Municipal Code does not establish minimum or maximum densities within the R-1 zoning district. The project is consistent with this purpose statement.

2. Typical housing types will include single-family dwellings, duplex dwellings and planned unit developments. The district also is intended to allow low intensity institutional uses that operate consistent with peaceful enjoyment of residential neighborhoods. The R-1 district is intended to be consistent with the low density residential (LDR) designation of the comprehensive plan.

**Response:** The housing type proposed for the project includes single-family dwellings, consistent with the typical housing type for low-density residential neighborhoods. The project is consistent with this purpose statement.

Division 15.400 Development Standards

Chapter 15.405 LOT REQUIREMENTS

15.405.010 Lot area – Lot areas per dwelling unit.

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A. In the following districts, each lot or development site shall have an area as shown below except as otherwise permitted by this code:

1. In the R-1 district, each lot or development site shall have a minimum area of 5,000 square feet or as may be established by a subdistrict. The average size of lots in a subdivision intended for single-family or duplex dwelling development shall not exceed 10,000 square feet.

[...]

**Response:** The project site is located within the R-1 district; therefore, lot sizes have been planned to be no less than 5,000 square feet. The average lot size does not exceed 10,000 square feet. This criterion is met.

B. Lot or Development Site Area per Dwelling Unit.

1. In the R-1 district, there shall be a minimum of 5,000 square feet per dwelling unit, except that there shall be a minimum of 5,000 square feet per duplex dwelling.

[...]

**Response:** The project site is located within the R-1 district; therefore, lot sizes have been planned to average 5,000 square feet or greater per dwelling unit, per Section D below. This criterion is met.

C. In calculating lot area for this section, lot area does not include land within public or private streets. In calculating lot area for maximum lot area/minimum density requirements, lot area does not include land within stream corridors, land reserved for public parks or open spaces, commons buildings, land for preservation of natural, scenic, or historic resources, land on slopes exceeding 15 percent or for avoidance of identified natural hazards, land in shared access easements, public walkways, or entirely used for utilities, land held in reserve in accordance with a future development plan, or land for uses not appurtenant to the residence.

**Response:** This standard is understood and the areas listed above were not included in lot area calculations.

D. Lot size averaging is allowed for any subdivision. Some lots may be under the minimum lot size required in the zone where the subdivision is located, as long as the average size of all lots is at least the minimum lot size.

**Response:** Because of site constraints, lot size averaging has been used to establish an average lot size at least 5,000 square feet in size, the minimum lot size of the R-1 zoning district. For the project, the planned average lot size is 5,919 square feet, with 4,751 square feet being the minimum lot size proposed.

15.405.020 Lot area exceptions.

The following shall be exceptions to the required lot areas:

- A. Lots of record with less than the area required by this code.
- B. Lots or development sites which, as a process of their creation, were approved in accordance with this code.
- C. Planned unit developments, provided they conform to requirements for planned unit development approval.

**Response:** The listed exceptions do not apply to this application for preliminary subdivision or the planned lots. These criteria do not apply.

15.405.030 Lot dimensions and frontage.

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

[...]

- c. Each lot in R-1 zone shall have a minimum width of 35 feet at the front building line and AI or RP shall have a minimum width of 50 feet at the front building line.

**Response:** Each planned lot within the subdivision have a minimum width and street frontage of at least 35 feet at the front building line. The planned lot depths are not more than 2 ½ times the average lot width of each lot.

- 2. The above standards apply with the following exceptions:
  - a. Legally created lots of record in existence prior to the effective date of the ordinance codified in this code.
  - b. Lots or development sites which, as a process of their creation, were approved

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with sub-standard widths in accordance with provisions of this code.

- c. Existing private streets may not be used for new dwelling units, except private streets that were created prior to March 1, 1999, including paving to fire access roads standards and installation of necessary utilities, and private streets allowed in the airport residential and airport industrial districts. However, existing single-family detached dwellings on existing private streets may be converted to duplex dwellings.

**Response:** The listed exceptions do not apply to this application for preliminary subdivision plat.

15.405.040 Lot coverage and parking coverage requirements.

- A. Purpose. The lot coverage and parking coverage requirements below are intended to:
  - 1. Limit the amount of impervious surface and storm drain runoff on residential lots.
  - 2. Provide open space and recreational space on the same lot for occupants of that lot.
  - 3. Limit the bulk of residential development to that appropriate in the applicable zone.
- 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.
    - a. R-1: 40 percent, or 50 percent if all structures on the lot are one story.

**Response:** The planned lot coverage of each residential lot is not planned to exceed 40 percent at this time. Lot coverages will be reviewed with building permit applications for each lot. This criterion can be met.

[...]

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

**Response:** Parking coverage, via parking lots, aisles and access, and parking structures, has not been planned for these single-family residential uses. This criterion does not apply.

- 3. Combined Maximum Lot and Parking Coverage.
  - a. R-1: 60 percent.

**Response:** This standard is understood.

[...]

- C. All other districts and uses not listed in subsection (B) of this section shall not be limited as to lot coverage and parking coverage except as otherwise required by this code.

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**Response:** This standard does not apply to this application.

Chapter 15.410 YARD SETBACK REQUIREMENTS

15.410.010 General yard regulations.

- A. No yard or open space provided around any building for the purpose of complying with the provisions of this code shall be considered as providing a yard or open space for any other building.
- B. No yard or open space on adjoining property shall be considered as providing required yard or open space for another lot or development site under the provisions of this code.
- C. No front yards provided around any building for the purpose of complying with the regulations of this code shall be used for public or private parking areas or garages, or other accessory buildings, except as specifically provided elsewhere in this code.
- D. When the common property line separating two or more contiguous lots is covered by a building or a permitted group of buildings with respect to such common property line or lines does not fully conform to the required yard spaces on each side of such common property line or lines, such lots shall constitute a single development site and the yards as required by this code shall then not apply to such common property lines.

[...]

**Response:** These standards are understood and the preliminary subdivision plat reflects that these yard regulations are met.

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:** Front yard setbacks have been illustrated as being not less than 15 feet in depth. Planned entrances to garage or carports are illustrated at least 20 feet from the nearest property line of the street to which access will be provided. Alley access for the properties has not been planned. These criteria are met.

[...]

15.410.030 Interior yard setback.

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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:** Interior yards not less than five feet are planned for each property within this R-1 district project site. This criterion is satisfied.

[...]

15.410.050 Special setback requirements to planned rights-of-way.

A. Yard Requirements for Property Abutting Partial or Future Street Rights-of-Way.

1. Except as provided in subsection (A)(2) of this section, no building shall be erected on a lot which abuts a street having only a portion of its required width dedicated, unless the yards provided and maintained in connection with such building have a width and/or depth needed to complete the street width plus the width and/or depths of the yards required on the lot by this code.
2. Where a comprehensive plan street design or a future street plan exists, the placement of buildings and the establishment of yards where required by this code shall relate to the future street boundaries as determined by said plans.

**Response:** Partial and future street rights-of-way are not planned. Access will be provided by Rourke Court, which will be constructed prior to the construction of single-family residences within the development. These criteria are not applicable.

B. Planned Street Right-of-Way Widths. Planned street right-of-way widths are established as indicated in subsection (C) of this section for the various categories of streets shown in the transportation system plan.

**Response:** Partial and future street rights-of-way are not planned. Access will be provided by Rourke Court, which will be constructed prior to the construction of single-family residences within the development. This criterion does not apply.

C. A lot or parcel of land in any district adjoining a street for which the planned right-of-way width and alignment have been determined shall have a building setback line equal to the yard required in the district, plus a distance of:

1. Fifty feet from and parallel with the centerline of expressways.
2. Thirty-five feet from and parallel with the centerline of major and minor arterials.
3. Thirty feet from and parallel with the centerline of multifamily, commercial and industrial streets and single-family collector streets.

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4. Thirty feet from and parallel with the centerline of single-family local streets.
  5. Twenty-five feet from and parallel with the centerline of single-family hillside, cul-de-sacs and local streets which will never be extended more than 2,400 feet in length and which will have a relatively even division of traffic to two or more exits.

Exceptions to the above five classifications are shown in the transportation system plan.

**Response:** This section refers to properties abutting partial street rights-of-way and future street rights-of-way as outlined within the City’s Transportation System Plan (TSP). The local street proposed, “Rourke Court,” is not included within the City’s TSP as a planned future street. Additional right-of-way is planned to be dedicated as part of a right-of-way expansion planned as part of the TSP. The specified setback, thirty-five feet from the centerline of N College Street, a minor arterial, is met by an established right-of-way 37 feet from the centerline to the edge adjacent to the project site. These standards, where applicable, are met.

- D. The centerline of planned streets shall be either the officially surveyed centerline or a centerline as on a precise plan. In the event of conflict between the two, the latter-described line shall prevail. In all other cases, a line midway between properties abutting the right-of-way shall be the centerline for the purposes of this code.

**Response:** This standard is understood.

15.410.060 Vision clearance setback.

The following vision clearance standards shall apply in all zones (see Appendix A, Figure 9).

- A. At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length.
- B. At the intersection of a private drive and a street, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 25 feet in length.
- C. Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line. Where curbs are absent, the edge of the asphalt or future curb location shall be used as a guide, whichever provides the greatest amount of vision clearance.

**Response:** Appropriate vision clearance triangles have been provided and are demonstrated within the Preliminary Plans attached as Exhibit A. The required vision clearance triangles will be kept free of visual obstructions between two and one-half feet to nine feet above the curb line. These criteria are met.

[...]



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15.410.070 Yard exceptions and permitted intrusions into required yard setbacks.

The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

- A. Depressed Areas. In any district, open work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps, stairs or retaining walls may be located in required yards; provided, that such devices are not more than three and one-half feet in height.
- B. Accessory Buildings. In front yards on through lots, where a through lot has a depth of not more than 140 feet, accessory buildings may be located in one of the required front yards; provided, that every portion of such accessory building is not less than 10 feet from the nearest street line.
- C. Projecting Building Features. The following building features may project into the required front yard no more than five feet and into the required interior yards no more than two feet; provided, that such projections are no closer than three feet to any interior lot line:
  - 1. Eaves, cornices, belt courses, sills, awnings, buttresses or other similar features.
  - 2. Chimneys and fireplaces, provided they do not exceed eight feet in width.
  - 3. Porches, platforms or landings which do not extend above the level of the first floor of the building.
  - 4. Mechanical structures (heat pumps, air conditioners, emergency generators and pumps).

**Response:** The listed required yard intrusions are understood but are not anticipated at this time. These criteria do not apply.

- D. Fences and Walls.
  - 1. In the residential district, a fence or wall shall be permitted to be placed at the property line or within a yard setback as follows:
    - a. Not to exceed six feet in height. Located or maintained within the required interior yards. For purposes of fencing only, lots that are corner lots or through lots may select one of the street frontages as a front yard and all other yards shall be considered as interior yards, allowing the placement of a six-foot fence on the property line. In no case may a fence extend into the clear vision zone as defined in NMC 15.410.060.
    - b. Not to exceed four feet in height. Located or maintained within all other front yards.

[...]

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3. If chain link (wire-woven) fences are used, they are manufactured of corrosion-proof materials of at least 11-1/2 gauge.
  4. The requirements of vision clearance shall apply to the placement of fences.

**Response:** Fences and walls are anticipated to meet the requirements of this Section. These criteria are met.

E. Parking and Service Drives (Also Refer to NMC 15.440.010 through 15.440.080).

1. In any district, service drives or accessways providing ingress and egress shall be permitted, together with any appropriate traffic control devices in any required yard.
2. In any residential district, public or private parking areas and parking spaces shall not be permitted in any required yard except as provided herein:
  - a. Required parking spaces shall be permitted on service drives in the required front yard in conjunction with any single-family or duplex dwelling on a single lot.
  - b. Recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are restricted to parking in the front yard setback for not more than 48 hours; and recreational vehicles, boat trailers, camperettes and all other vehicles not in daily use are permitted to be located in the required interior yards.
  - c. Public or private parking areas, parking spaces or any building or portion of any building intended for parking which have been identified as a use permitted in any residential district shall be permitted in any interior yard that abuts an alley, provided said parking areas, structures or spaces shall comply with NMC 15.440.070, Parking tables and diagrams (Diagrams 1 through 3).
  - d. Public or private parking areas, service drives or parking spaces which have been identified as a use permitted in any residential district shall be permitted in interior yards; provided, that said parking areas, service drives or parking spaces shall comply with other requirements of this code.

**Response:** The planned parking and service drives meet the requirements of this Section. Parking within required residential yards is anticipated to meet these requirements. Please refer to the Preliminary Street Plan and Cross Section (Sheet P04) within Exhibit A for further information about planned parking within the subdivision. These criteria are met.

[...]

Chapter 15.415 BUILDING AND SITE DESIGN STANDARDS

15.415.010 Main buildings and uses as accessory buildings.

- A. Hereinafter, any building which is the only building on a lot is a main building.
- B. In any residential district except RP, there shall be only one main use per lot or development site; provided, that home occupations shall be allowed where permitted.
- C. In any residential district, there shall be no more than two accessory buildings on any lot or development site.

**Response:** Each lot within the subdivision lot is planned to serve only one main use, residential single-family dwellings, per lot. These requirements are satisfied.

15.415.020 Building height limitation.

- A. Residential.
    - 1. In the R-1 district, no main building shall exceed 30 feet in height.
- [...]
- 4. 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.

[...]

[...]

- E. Alternative Building Height Standard. As an alternative to the building height standards above, any project may elect to use the following standard (see Figure 24 in Appendix A). To meet this standard:
  - 1. Each point on the building must be no more than 20 feet higher than the ground level at all points on the property lines, plus one vertical foot for each horizontal foot of distance from that property line; and
  - 2. Each point on the building must be no more than 20 feet higher than the ground level at a point directly north on a property line, plus one vertical foot for each two horizontal feet of distance between those points. This second limit does not apply if the property directly to the north is a right-of-way, parking lot, protected natural resource, or similar unbuildable property.

**Response:** Buildings within the planned subdivision are not anticipated to exceed the listed maximum heights. These criteria are met.

[...]

15.415.030 Building height exemptions.

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Roof structures and architectural features for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, TV antennas, steeples and similar structures may be erected above the height limits prescribed in this code; provided, that no roof structure, feature or any other device above the prescribed height limit shall be allowed or used for the purpose of providing additional floor space. Further, no roof structure or architectural feature under this exemption shall be erected more than 18 feet above the height of the main building, whether such structure is attached to it or freestanding, nor shall any such structure or feature exceed the height limits of the airport overlay subdistrict.

**Response:** These standards are understood and homes constructed within the planned subdivision are anticipated to meet these criteria.

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.

**Response:** Planned subdivision lots obtain access to a public street either directly or via an easement of record. Private streets are not planned for the development. Accesses shown meet these requirements.

15.415.050 Rules and exceptions governing single-family attached dwellings.

In all residential districts, single-family attached dwelling units may be permitted, provided:

- A. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot which includes existing lots of record.
- B. The dwelling units shall have a common wall at the zero lot line.
- C. The combined area of lots shall not be less than the lot area required in the residential district.
- D. The lot or development site area requirement per dwelling unit listed in this code shall apply to each individual lot.
- E. The setback requirements will apply to each dwelling unit independently, except that the setback for the zero lot line shall be waived.
- F. Each dwelling unit shall have independent services which include, but are not limited to, wastewater, water and electricity.

- G. Authorization of single-family attached dwelling units does not waive any requirement specified within the current edition of the Oregon Residential Specialty Code or other applicable requirements.
- H. Maximum lot coverage requirements specified in this code shall apply to each individual lot.
- I. A site plan is approved by the director prior to issuance of a building permit. In approving a site plan, the director may attach any conditions necessary to fulfill the purpose of this code.

**Response:** Single-family attached dwelling units are not planned as part of this application. These criteria do not apply.

15.415.060 Home occupation.

Home occupations shall be processed as a Type I procedure. Home occupation uses shall comply with the following standards:

- A. Signs shall comply with the standards of NMC 15.435.010 et seq.
- B. There is no display that will indicate from the exterior that the building is used in whole or in part for any purpose other than a dwelling.
- C. The building retains the characteristics of a residence.
- D. There is no outside storage of materials, parts, tools, supplies, or other items related to the use as a home occupation, other than nursery plants.
- E. No more than one outside paid employee shall be permitted to work at the residence at any given time.
- F. The use does not destroy the residential character of the neighborhood.
- G. All work being performed at the site is done within the confines of a building and no noise, odor, dust, smoke or other evidence of the home occupation permeates beyond the confines of the property.
- H. The home occupation is incidental to the use of the building and site for residential purposes.
- I. The work does not involve the use of hazardous substances or materials which might create a fire hazard or danger to the environment or neighboring properties, including but not limited to gasoline, paint, oxygen/acetylene tanks, or other flammable or hazardous materials.

**Response:** Home occupations are not planned as part of this application. These criteria do not apply.

Chapter 15.420 LANDSCAPING AND OUTDOOR AREAS

15.420.010 Required minimum standards.

- A. Private and Shared Outdoor Recreation Areas in Residential Developments.
  - 1. Private Areas. Each ground-level living unit in a residential development subject to a design review

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plan approval shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide increased privacy for unit residents, their guests and neighbors.

[...]

**Response:** The project involves a preliminary subdivision plat for single-family dwellings not subject to a design review; therefore, these standards do not apply.

B. Required Landscaped Area. The following landscape requirements are established for all developments except single-family dwellings and duplex dwellings:

[...]

4. Trees, Shrubs and Ground Covers. The species of street trees required under this section shall conform to those authorized by the city council through resolution. The director shall have the responsibility for preparing and updating the street tree species list which shall be adopted in resolution form by the city council.

a. Arterial and minor arterial street trees shall have spacing of approximately 50 feet on center. These trees shall have a minimum two-inch caliper tree trunk or stalk at a measurement of two feet up from the base and shall be balled and burlapped or boxed.

b. Collector and local street trees shall be spaced approximately 35 to 40 feet on center. These trees shall have a minimum of a one and one-half or one and three-fourths inch tree trunk or stalk and shall be balled and burlapped or boxed.

c. Accent Trees. Accent trees are trees such as flowering cherry, flowering plum, crab-apple, Hawthorne and the like. These trees shall have a minimum one and one-half inch caliper tree trunk or stalk and shall be at least eight to 10 feet in height. These trees may be planted bare root or balled and burlapped. The spacing of these trees should be approximately 25 to 30 feet on center.

d. All broad-leaved evergreen shrubs and deciduous shrubs shall have a minimum height of 12 to 15 inches and shall be balled and burlapped or come from a two-gallon can. Gallon-can size shrubs will not be allowed except in ground covers. Larger sizes of shrubs may be required in special areas and locations as specified by the design review board. Spacing of these shrubs shall be typical for the variety, three

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to eight feet, and shall be identified on the landscape planting plan.

- e. **Ground Cover Plant Material.** Ground cover plant material such as greening juniper, cotoneaster, minor Bowles, English ivy, hypericum and the like shall be one of the following sizes in specified spacing for that size:

Gallon cans	3 feet on center
4" containers	2 feet on center
2-1/4" containers	18" on center
Rooted cuttings	12" on center

**Response:** These standards apply as part of NMC 15.420.020 regarding street trees, below. Minor arterial street trees along N College Street have been illustrated and will be planted to the specifications required and with the required planting specifications. These criteria are met.

15.420.020 Landscaping and amenities in public rights-of-way.

The following standards are intended to create attractive streetscapes and inviting pedestrian spaces. A review body may require any of the following landscaping and amenities to be placed in abutting public rights-of-way as part of multifamily, commercial, industrial, or institutional design reviews, or for subdivisions and planned unit developments. In addition, any entity improving existing rights-of-way should consider including these elements in the project. A decision to include any amenity shall be based on comprehensive plan guidelines, pedestrian volumes in the area, and the nature of surrounding development.

**Response:** The planned project is for a residential subdivision, listed as an applicable project to consider inclusion of these planting requirements.

- A. **Pedestrian Space Landscaping.** Pedestrian spaces shall include all sidewalks and medians used for pedestrian refuge. Spaces near sidewalks shall provide plant material for cooling and dust control, and street furniture for comfort and safety, such as benches, waste receptacles and pedestrian-scale lighting. These spaces should be designed for short-term as well as long-term use. Elements of pedestrian spaces shall not obstruct sightlines and shall adhere to any other required city safety measures. Medians used for pedestrian refuge shall be designed for short-term use only with plant material for cooling and dust control, and pedestrian-scale lighting. The design of these spaces shall facilitate safe pedestrian crossing with lighting and accent paving to delineate a safe crossing zone visually clear to motorists and pedestrians alike.
  - 1. Street trees planted in pedestrian spaces shall be planted according to NMC 15.420.010(B)(4).
  - 2. Pedestrian spaces shall have low (two and one-half feet) shrubs and ground covers for safety purposes,

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enhancing visibility and discouraging criminal activity.

- a. Plantings shall be 90 percent evergreen year-round, provide seasonal interest with fall color or blooms, and at maturity maintain growth within the planting area (refer to plant material matrix below).
- b. Plant placement shall also adhere to clear sight line requirements as well as any other relevant city safety measures.

**Response:** The Preliminary Plans (Exhibit A) show that low shrubs and required street trees are proposed consistent with NMC 15.420.010(B)(4) and this Section have been proposed. These criteria are met.

- 3. Pedestrian-scale lighting shall be installed along sidewalks and in medians used for pedestrian refuge.
  - a. Pole lights as well as bollard lighting may be specified; however, the amount and type of pedestrian activity during evening hours, e.g., transit stops, nighttime service districts, shall ultimately determine the type of fixture chosen.
  - b. Luminaire styles shall match the area/district theme of existing luminaires and shall not conflict with existing building or roadway lights causing glare.
  - c. Lighting heights and styles shall be chosen to prevent glare and to designate a clear and safe path and limit opportunities for vandalism (see Appendix A, Figure 17, Typical Pedestrian Space Layouts).
  - d. Lighting shall be placed near the curb to provide maximum illumination for spaces furthest from building illumination. Spacing shall correspond to that of the street trees to prevent tree foliage from blocking light.

**Response:** Exhibit A includes illustrations of street lighting locations near the curb. Specific fixtures, luminaire styles, and heights will be provided with the final engineering plans. These criteria have been or can be met.

- 4. Street furniture such as benches and waste receptacles shall be provided for spaces near sidewalks only.
  - a. Furniture should be sited in areas with the heaviest pedestrian activity, such as downtown, shopping districts, and shopping centers.
  - b. Benches should be arranged to facilitate conversation between individuals with L-



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shaped arrangements and should face the area focal point, such as shops, fountains, plazas, and should divert attention away from nearby traffic.

**Response:** Consistent with other single-family residential neighborhoods within areas without heavy pedestrian activity, street furniture is not planned for this area. These criteria do not apply.

5. Paving and curb cuts shall facilitate safe pedestrian crossing and meet all ADA requirements for accessibility.

**Response:** Paving and curb cuts will enable safe pedestrian crossing and meet all applicable ADA requirements for accessibility from both the City and ODOT. This criterion is met.

B. **Planting Strip Landscaping.** All planting strips shall be landscaped. Planting strips provide a physical and psychological buffer for pedestrians from traffic with plant material that reduces heat and dust, creating a more comfortable pedestrian environment. Planting strips shall have different arrangements and combinations of plant materials according to the frequency of on-street parking (see Appendix A, Figures 18 and 19).

1. Planting strips which do not have adjacent parking shall have a combination of ground covers, low (two and one-half feet) shrubs and trees. Planting strips adjacent to frequently used on-street parking, as defined by city staff, shall only have trees protected by tree grates, and planting strips adjacent to infrequently used on-street parking shall be planted with ground cover as well as trees (see Appendix A, Figures 18 and 19, Typical Planting Strip Layouts). District themes or corridor themes linking individual districts should be followed utilizing a unifying plant characteristic, e.g., bloom color, habit, or fall color. When specifying thematic plant material, monocultures should be avoided, particularly those species susceptible to disease.
2. Street trees shall be provided in all planting strips as provided in NMC 15.420.010(B)(4).
  - a. Planting strips without adjacent parking or with infrequent adjacent parking shall have street trees in conjunction with ground covers and/or shrubs.
  - b. Planting strips with adjacent parking used frequently shall have only street trees protected by tree grates.
3. Shrubs and ground covers shall be provided in planting strips without adjacent parking with low (two and one-half feet) planting masses to enhance visibility, discourage criminal activity, and provide a physical as well as psychological buffer from passing traffic.

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- a. Plantings shall be 90 percent evergreen year-round, provide seasonal interest with fall color or blooms and at maturity maintain growth within the planting area.
  - b. Ground cover able to endure infrequent foot traffic shall be used in combination with street trees for planting strips with adjacent occasional parking (refer to plant material matrix below).
  - c. All plant placement shall adhere to clear sight line requirements as well as any other relevant city safety measures.

**Response:** Planter strips along N College Street have been planned with low shrub and ground cover placement to act as a physical and psychological buffer from passing traffic. Rourke Court is planned as a limited residential street without planter strips. Since planter strips are not planned, street trees are not feasible along the Rourke Court right-of-way. Areas behind the sidewalk are not feasible because of the presence of residential Public Utility Easements, conflicting with street tree placement. These criteria are met.

- C. Maintenance. All landscapes shall be maintained for the duration of the planting to encourage health of plant material as well as public health and safety. All street trees and shrubs shall be pruned to maintain health and structure of the plant material for public safety purposes.

**Response:** Landscape maintenance will be the responsibility of the owner or the homeowner's association established for the subdivision. This criterion is planned to be met.

[...]

Plant Material Matrix – Newberg Transportation Planning Rule Implementation						
	Median		Pedestrian Space	Planting Strip		
	Central Business District/Urban Application	Low Density Application		Frequent On-Street Parking	Infrequent On-Street Parking	Without On-Street Parking
Plant Material	Trees, shrubs and ground cover		Trees, shrubs and ground cover (where applicable)	Trees in tree wells with grates	Trees and ground cover	Trees, shrubs and ground cover
Tree and Shrub Arrangement	Single row of trees planted in triangular pattern, equally spaced, shrubs as desired	Single row of trees planted in triangular pattern, arranged in clusters, shrubs as desired	Refer to median or planting strip specifications as applicable	Single row of trees planted in linear pattern, equally spaced	Refer to tree specifications for median as applicable, ground cover as desired	Refer to tree specifications for median as applicable, ground cover as desired
Tree Form	Columnar to round tree canopy	Round to broad tree canopy	Refer to median or planting strip specifications as applicable	Refer to median recommendations as applicable	Refer to median recommendations as applicable	Refer to median recommendations as applicable
Examples of Recommended Tree Species	Bradford Flowering Pear ( <i>Pyrus calleryana</i> “Bradford”), Flowering Cherry ( <i>Prunus serrulata</i> , several varieties), Red Sunset Maple ( <i>Acer rubrum</i> ), Londos Plana ( <i>Platanus acerifolia</i> )	Flowering Cherry ( <i>Prunus serrulata</i> , several varieties), Flowering Dogwood ( <i>Cornus</i> species, several varieties), Hawthorn ( <i>Crataegus</i> species, several species), Red Sunset Maple ( <i>Acer rubrum</i> ), Red Oak ( <i>Quercus rubra</i> )	Refer to median or planting strip specifications as applicable	Refer to median recommendations as applicable, lowest tree limb height of 10 feet	Refer to median recommendations as applicable, lowest limb height of 10 feet	Refer to median recommendations as applicable, lowest limb height of 10 feet
Shrub and Ground Cover Characteristics (i.e., environmental tolerance, mature size)	Pollutant and reflected heat tolerant	Pollutant and reflected heat tolerant	2.5 feet maximum height, pollutant and reflected heat tolerant	Not applicable	2.5 feet maximum height, pollutant and reflected heat tolerant	2.5 feet maximum height, pollutant and reflected heat tolerant
Examples of Recommended Shrub Species	Lonicera japonica (Privet Honeysuckle), Sargent Juniper ( <i>Juniperus sargentii</i> ), Cotoneaster (Cotoneaster, various varieties), Winter Creeper ( <i>Euonymus fortunei</i> )	Lonicera japonica (Privet Honeysuckle), Sargent Juniper ( <i>Juniperus sargentii</i> ), Cotoneaster (Cotoneaster, various varieties), Winter Creeper ( <i>Euonymus fortunei</i> )	Sargent Juniper ( <i>Juniperus sargentii</i> ), Cotoneaster (Cotoneaster, low varieties), Winter Creeper ( <i>Euonymus fortunei</i> )	Not applicable	Sargent Juniper ( <i>Juniperus sargentii</i> ), Cotoneaster (Cotoneaster, prostrate varieties)	Sargent Juniper ( <i>Juniperus sargentii</i> ), Cotoneaster (Cotoneaster, various varieties), Winter Creeper ( <i>Euonymus fortunei</i> )

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Chapter 15.425 EXTERIOR LIGHTING

15.425.010 Purpose.

The purpose of this chapter is to regulate the placement, orientation, distribution patterns, and fixture types of on-site outdoor lighting. The intent of this section is to provide minimum lighting standards that promote safety, utility, and security, prevent glare on public roadways, and protect the privacy of residents.

15.425.020 Applicability and exemptions.

A. Applicability. Outdoor lighting shall be required for safety and personal security in areas of assembly, parking, and traverse, as part of multifamily residential, commercial, industrial, public, recreational and institutional uses. The applicant for any Type I or Type II development permit shall submit, as part of the site plan, evidence that the proposed outdoor lighting plan will comply with this section. This information shall contain but not be limited to the following:

1. The location, height, make, model, lamp type, wattage, and proposed cutoff angle of each outdoor lighting fixture.
2. Additional information the director may determine is necessary, including but not limited to illuminance level profiles, hours of business operation, and percentage of site dedicated to parking and access.
3. If any portion of the site is used after dark for outdoor parking, assembly or traverse, an illumination plan for these areas is required. The plan must address safety and personal security.

B. Exemptions. The following uses shall be exempt from the provisions of this section:

1. Public street and airport lighting.

**Response:** Lighting planned for the subdivision involves only public street lighting, exempt from these requirements. These standards do not apply.

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.

B. Existing utility lines shall be placed underground when they are relocated, or when an addition or remodel requiring a Type II design review is proposed, or when a developed area is annexed to the city.

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- C. The director may make exceptions to the requirement to underground utilities based on one or more of the following criteria:
    - 1. The cost of undergrounding the utility is extraordinarily expensive.
    - 2. There are physical factors that make undergrounding extraordinarily difficult.
    - 3. Existing utility facilities in the area are primarily overhead and are unlikely to be changed.

**Response:** All new utility lines are to be located underground, per the requirements of this Section. These criteria are met.

**Chapter 15.440 OFF-STREET PARKING, BICYCLE PARKING, AND PRIVATE WALKWAYS**

**Article I. Off-Street Parking Requirements**

**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.
  - 1. In cases where the applicant is proposing off-street parking, refer to subsection (F) of this section for the maximum number of parking spaces.

**Response:** Future home construction includes driveways and garages to provide off-street parking. This criterion can be met.

[...]

**15.440.020 Parking area and service drive design.**

- A. All public or private parking areas, parking spaces, or garages shall be designed, laid out and constructed in accordance with the minimum standards as set forth in NMC 15.440.070.
- B. Groups of three or more parking spaces, except those in conjunction with single-family or duplex dwellings on a single lot, shall be served by a service drive so that no backward movement or other maneuvering of a vehicle within a street, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety in traffic access and egress and maximum safety of pedestrian and vehicular traffic on the site, but in no case shall two-way and one-way service drives be less than 20 feet and 12 feet, respectively. Service drives shall be improved in accordance with the minimum standards as set forth in NMC 15.440.060.

- C. Gates. A private drive or private street serving as primary access to more than one dwelling unit shall not be gated to limit access, except as approved by variance.

**Response:** The construction of future homes, garages, and driveways is not included with this application. Compliance with NMC 15.440.020 will be verified upon building permit review for each future home. Gates are not planned for use, as private streets and variances have not been planned. These criteria are or can be met.

15.440.030 Parking spaces required.

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

Notes:

\* “1-E” refers to fraternities, sororities, cooperatives and dormitories that require one parking space for each three occupants for whom sleeping facilities are provided.

\*\* “3.-G(1)” refers to establishments or enterprises of a recreational or an entertainment nature (spectator type, e.g., auditoriums, assembly halls, theaters, stadiums, places of public assembly) that require one parking space for each four seats.

[...]

15.440.075 Residential garage standards.

- A. Single-car garages for residential uses shall have a minimum inside width of 10 feet by 20 feet.
- B. Two-car garages for residential uses shall have a minimum inside width of 20 feet by 20 feet.
- C. Three-car garages for residential uses shall have a minimum inside width of 30 feet by 20 feet.

**Response:** This application does not include construction of future homes, garages, or driveways. Compliance with NMC 15.440.030 will be verified upon building permit review for each future home. Each lot provides sufficient space for a driveway and two-car garage that may accommodate multiple vehicles, as demonstrated within the Preliminary Plans. This criterion can be met.

[...]

Article III. Private Walkways

15.440.120 Purpose

Sidewalks and private walkways are part of the city’s transportation system. Requiring their construction is part of the city’s plan to encourage multimodal travel and to reduce reliance on the automobile. Considerable funds have and will be expended to install sidewalks along the streets in the city. Yet there is little point to this expense if it is not possible for people to walk from the sidewalk to the developments along each side. The following requirements are intended to provide safe and convenient paths for employees, customers, and residents to walk from public sidewalks to development entrances, and to walk between buildings on larger sites.

15.440.130 Where required.

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Private walkways shall be constructed as part of any development requiring Type II design review, including mobile home parks. In addition, they may be required as part of conditional use permits or planned unit developments. In the airport industrial (AI) district and residential (AR) district, on-site walks are not required in aircraft operations areas, such as parking aprons, taxiways, and runways.

**Response:** The Preliminary Plans included as part of Exhibit A illustrate sidewalks along both sides of the internal public street, “Rourke Court.” The application is not subject to a Type II design review process, and subsequently does not include any private walkways. This criterion does not apply.

Chapter 15.505 PUBLIC IMPROVEMENTS STANDARDS.

15.505.010 Purpose.

This chapter provides standards for public infrastructure and utilities installed with new development, consistent with the policies of the City of Newberg comprehensive plan and adopted city master plans. The standards are intended to minimize disturbance to natural features, promote energy conservation and efficiency, minimize and maintain development impacts on surrounding properties and neighborhoods, and ensure timely completion of adequate public facilities to serve new development.

15.505.020 Applicability.

The provision and utilization of public facilities and services within the City of Newberg shall apply to all land developments in accordance with this chapter. No development shall be approved unless the following improvements are provided for prior to occupancy or operation, unless future provision is assured in accordance with NMC 15.505.030(E).

- A. Public Works Design and Construction Standards. 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 comply with the requirements of the most recently adopted Newberg public works design and construction standards.
- B. Street Improvements. All projects subject to a Type II design review, partition, or subdivision approval must construct street improvements necessary to serve the development.
- C. Water. All developments, lots, and parcels within the City of Newberg shall be served by the municipal water system as specified in Chapter 13.15 NMC.
- D. Wastewater. All developments, lots, and parcels within the City of Newberg shall be served by the municipal wastewater system as specified in Chapter 13.10 NMC.
- E. Stormwater. All developments, lots, and parcels within the City of Newberg shall manage stormwater runoff as specified in Chapters 13.20 and 13.25 NMC.
- F. Utility Easements. Utility easements shall be provided as necessary and required by the review body to provide needed facilities for present or future development of the area.

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- G. City Approval of Public Improvements Required. No building permit may be issued until all required public facility improvements are in place and approved by the director, or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the Newberg Public Works Design and Construction Standards.

**Response:** The above standards are understood and the applicable standards are addressed within their appropriate Sections below.

15.505.030 Street standards.

A. Purpose. The purpose of this section is to:

1. Provide for safe, efficient, and convenient multi-modal transportation within the City of Newberg.
2. Provide adequate access to all proposed and anticipated developments in the City of Newberg. For purposes of this section, “adequate access” means direct routes of travel between destinations; such destinations may include residential neighborhoods, parks, schools, shopping areas, and employment centers.
3. Provide adequate area in all public rights-of-way for sidewalks, wastewater and water lines, stormwater facilities, natural gas lines, power lines, and other utilities commonly and appropriately placed in such rights-of-way. For purposes of this section, “adequate area” means space sufficient to provide all required public services to standards defined in this code and in the Newberg public works design and construction standards.

B. Applicability. The provisions of this section apply to:

1. The creation, dedication, and/or construction of all public streets, bike facilities, or pedestrian facilities in all subdivisions, partitions, or other developments in the City of Newberg.
2. The extension or widening of existing public street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the city, or which may be required by the city in association with other development approvals.
3. The construction or modification of any utilities, pedestrian facilities, or bike facilities in public rights-of-way or easements.
4. The designation of planter strips. Street trees are required subject to Chapter 15.420 NMC.
5. Developments outside the city that tie into or take access from city streets.

**Response:** The applicable requirements of NMC 15.505.030 are addressed below.



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- C. **Layout of Streets, Alleys, Bikeways, and Walkways.** Streets, alleys, bikeways, and walkways shall be laid out and constructed as shown in the Newberg transportation system plan. In areas where the transportation system plan or future street plans do not show specific transportation improvements, roads and streets shall be laid out so as to conform to previously approved subdivisions, partitions, and other developments for adjoining properties, unless it is found in the public interest to modify these patterns. Transportation improvements shall conform to the standards within the Newberg Municipal Code, the Newberg public works design and construction standards, the Newberg transportation system plan, and other adopted city plans.

**Response:** The Newberg TSP does not identify planned roadways for the subject property. The Preliminary Plans (Exhibit A) contain a proposed street layout for Rourke Court which conforms to the pattern of existing development in the area. This criterion is met.

- 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:

**Response:** As shown on the Preliminary Plans (Exhibit A), the project includes a new public street to serve the 12-lot subdivision. Right-of-way dedication and street improvements have been planned for the project. The criterion is met.

1. The land abutting the opposite side of the new street is undeveloped and not part of the new development; and

**Response:** The new public street is fully contained within the project site and does not abut undeveloped lands that are not part of the development. This criterion does not apply.

2. The adjoining land abutting the opposite side of the street is within the city limits and the urban growth boundary.

**Response:** Lands abutting the new street are part of the project site and are within the city limits and within the Urban Growth Boundary. This criterion is met.

- 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

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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.

3. In lieu of the street improvement requirements outlined in NMC 15.505.040(B), the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of money deposited with the city shall be 100 percent of the estimated cost of the required street improvements (including any associated utility improvements), and 10 percent of the estimated cost for inflation. Cost estimates used for this purpose shall be based on preliminary design of the constructed street provided by the applicant's engineer and shall be approved by the director.

**Response:** The application includes street dedication and improvement of Rourke Court as illustrated within the Preliminary Plans (Exhibit A). The applicable criteria are met.

- F. **Improvements Relating to Impacts.** Improvements required as a condition of development approval shall be roughly proportional to the impact of the development on public facilities and services. The review body must make findings in the development approval that indicate how the required improvements are roughly proportional to the impact. Development may not occur until required transportation facilities are in place or guaranteed, in conformance with the provisions of this code. If required transportation facilities cannot be put in place or be guaranteed, then the review body shall deny the requested land use application.

**Response:** These standards are understood.

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
<b>Arterial Streets</b>						
Minor arterial	69 – 80 feet	48 feet	2 lanes	TWLTL or median*	Yes	No*
<b>Local Streets</b>						
Local residential	54 – 60 feet	32 feet	2 lanes	None	No	Yes
Limited residential, parking both sides	44 – 50 feet	28 feet	2 lanes	None	No	Yes
Limited residential, parking one side	40 – 46 feet	26 feet	2 lanes	None	No	One side
* May be modified with approval of the director. Modification will change overall curb-to-curb and right-of-way width. Where a center turn lane is not required, a landscaped median shall be provided instead, with turning pockets as necessary to preserve roadway functions.						
** All standards shall be per ODOT expressway standards.						

**Response:** A new public street has been designed to the Street Design Standards in Table 15.505.030(G). Rourke Court has been designed as a Limited Residential Street with parking on one side at 43 feet in width, ending in a cul-de-sac with a radius of 42.5 feet. The dedication of 7 feet of property has been proposed to the N College Street right-of-way for a total right-of-way width of 69 feet. The right-of-way width, curb-to-curb pavement width, and other design features are shown on the Preliminary Plans (Exhibit A) and are consistent with the Street Design Standards. This criterion is met.

2. **Motor Vehicle Travel Lanes.** Collector and arterial streets shall have a minimum width of 12 feet.

**Response:** The project includes dedication of property and improvement of N College Street, a minor arterial. The minor arterial provides existing 12-foot vehicle travel lanes. This criterion is met.

[...]

3. **Bike Lanes.** Striped bike lanes shall be a minimum of six feet wide. Bike lanes shall be provided where shown in the Newberg transportation system plan.

**Response:** The adjacent section of N College Street does not currently provide bicycle lanes. Bike lanes are prescribed by Project E05 of the City’s TSP, which includes roadway expansion for the addition of bicycle lanes, sidewalks, and planter strips. Seven feet of roadway dedication has been planned in order to provide these facilities. This criterion is met.

[...]

4. **Parking Lanes.** Where on-street parking is allowed on collector and arterial streets, the parking lane shall be a minimum of eight feet wide.

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**Response:** Parking is not allowed along the adjacent Minor Arterial street. This standard does not apply.

[...]

5. **Center Turn Lanes.** Where a center turn lane is provided, it shall be a minimum of 12 feet wide.

**Response:** The N College Street right-of-way adjacent to the project site does not provide a center turn lane. The project provides a portion of the property dedication required for future construction of a center turn lane. This standard does not apply.

6. **Limited Residential Streets.** Limited residential streets shall be allowed only at the discretion of the review authority, and only in consideration of the following factors:

- a. The requirements of the fire chief shall be followed.

**Response:** Requirements of Tualatin Valley Fire & Rescue will be followed. These requirements are planned to be reflected upon application for the Final Subdivision Plat with construction plans. This criterion can be met.

- b. The estimated traffic volume on the street is low, and in no case more than 600 average daily trips.

**Response:** "Rourke Court," designed to serve this proposed 12-lot subdivision, is anticipated to carry 113 average daily trips (12 dwelling units x 9.44 trips/dwelling unit = 113.28 trips). The anticipated average daily trips (ADT) on Rourke Court are fewer than the 600 ADT threshold; therefore, this criterion is met.

- c. Use for through streets or looped streets is preferred over cul-de-sac streets.
- d. Use for short blocks (under 400 feet) is preferred over longer blocks.

**Response:** These criteria state preference for street design. The surrounding property development and shape of the property does not allow through or looped streets or other block configurations than those proposed. The current configuration was required by site geography; therefore, while not preferred, limited residential streets are permitted in these situations.

- e. The total number of residences or other uses accessing the street in that block is small, and in no case more than 30 residences.

**Response:** The project involves 12 lots, less than the 30-residence threshold established above. This criterion is met.

- f. On-street parking usage is limited, such as by providing ample off-street parking, or by staggering driveways so there are few areas where parking is allowable on both sides.

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**Response:** On-street parking has been limited and due to the required site layout staggered driveways have been planned. Ample off-street parking is provided. Please see the Preliminary Plans for further details. This criterion is met.

7. Sidewalks. Sidewalks shall be provided on both sides of all public streets. Minimum width is five feet.

**Response:** Six-foot-wide sidewalks have been planned along both sides of Rourke Court. This standard is met.

[...]

8. Planter Strips. Except where infeasible, a planter strip shall be provided between the sidewalk and the curb line, with a minimum width of five feet. This strip shall be landscaped in accordance with the standards in NMC 15.420.020. Curb-side sidewalks may be allowed on limited residential streets. Where curb-side sidewalks are allowed, the following shall be provided:
  - a. Additional reinforcement is done to the sidewalk section at corners.
  - b. Sidewalk width is six feet.

**Response:** As stated above, a limited residential street with curb-side sidewalks is planned. The width of those sidewalks is 6 feet and additional reinforcement is planned at the intersection of Rourke Court and N College Street. These criteria are met.

9. Slope Easements. Slope easements shall be provided adjacent to the street where required to maintain the stability of the street.

**Response:** Slope easements are not necessary for this site, which generally has topography gently sloping to the west. This criterion does not apply.

10. Intersections and Street Design. The street design standards in the Newberg public works design and construction standards shall apply to all public streets, alleys, bike facilities, and sidewalks in the city.

**Response:** As demonstrated within the Preliminary Plans (Exhibit A), street and intersection designs for the subdivision meet the standards within the Newberg Public Works design and construction standards. Therefore, this criterion is met.

11. The planning commission may approve modifications to street standards for the purpose of ingress or egress to a minimum of three and a maximum of six lots through a conditional use permit.

**Response:** This application does not involve modification of street standards for the purposes of ingress and egress. This standard does not apply.

- H. Modification of Street Right-of-Way and Improvement Width. The director, pursuant to the Type II review

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procedures of Chapter 15.220 NMC, may allow modification to the public street standards of subsection (G) of this section, when the criteria in both subsections (H)(1) and (2) of this section are satisfied:

1. The modification is necessary to provide design flexibility in instances where:
  - a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or
  - b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or
  - c. A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or
  - d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.
2. Modification of the standards of this section shall only be approved if the director finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.

**Response:** A modification of the standards of this section is not being requested; therefore, these standards do not apply.

- I. Temporary Turnarounds. Where a street will be extended as part of a future phase of a development, or as part of development of an abutting property, the street may be terminated with a temporary turnaround in lieu of a standard street connection or circular cul-de-sac bulb. The director and fire chief shall approve the temporary turnaround. It shall have an all-weather surface, and may include a hammerhead-type turnaround meeting fire apparatus access road standards, a paved or graveled circular turnaround, or a paved or graveled temporary access road. For streets extending less than 150 feet and/or with no significant access, the director may approve the street without a temporary turnaround. Easements or right-of-way may be required as necessary to preserve access to the turnaround.

**Response:** Temporary turnarounds have not been planned as part of this project. This standard does not apply.

- J. Topography. The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of this code.

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**Response:** Exhibit A shows that the street layout gives suitable recognition to the site’s topographical conditions. The site slopes gradually downward from east to west. The planned layout of Rourke Court does not require substantial cut or fill; therefore, this criterion is met.

K. Future Extension of Streets. All new streets required for a subdivision, partition, or a project requiring site design review shall be constructed to be “to and through”: through the development and to the edges of the project site to serve adjacent properties for future development.

**Response:** As shown in Exhibit A, the future extension of streets in the project vicinity is not planned. This standard does not apply.

L. Cul-de-Sacs.

1. Cul-de-sacs shall only be permitted when one or more of the circumstances listed in this section exist. When cul-de-sacs are justified, public walkway connections shall be provided wherever practical to connect with another street, walkway, school, or similar destination.

a. Physical or topographic conditions make a street connection impracticable. These conditions include but are not limited to controlled access streets, railroads, steep slopes, wetlands, or water bodies where a connection could not be reasonably made.

**Response:** The physical characteristics of the property and waters at the north of the property make street connections impracticable. Additionally, as a state highway, N College Street is under the jurisdiction of ODOT and access is controlled along the property’s frontage. This standard applies.

b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering the potential for redevelopment.

**Response:** Surrounding residential lands on the east side of N College Street are developed and leave no potential connection point for streets within this project. Institutional lands to the east and north make residential development requiring potential street connection unlikely. This standard applies.

c. Where streets or accessways would violate provisions of leases, easements, or similar restrictions.

**Response:** Streets or accessways would not violate any known provisions of leases, easements, or similar restrictions. This standard does not apply.

d. Where the streets or accessways abut the urban growth boundary and rural resource land in farm or forest use, except where the adjoining land is designated as an urban reserve area.

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**Response:** The project site does not abut the Urban Growth Boundary or rural resource lands. This standard does not apply.

2. Cul-de-sacs shall be no more than 400 feet long (measured from the centerline of the intersection to the radius point of the bulb).

**Response:** The cul-de-sac measures less than 400 feet from the centerline of the intersection of Rourke Court and N College Street to the radius point of the bulb. This criterion is met.

3. Cul-de-sacs shall not serve more than 18 single-family dwellings.

**Response:** The cul-de-sac is planned to serve only 12 single-family dwellings; therefore, this criterion is met.

Each cul-de-sac shall have a circular end with a minimum diameter of 96 feet, curb-to-curb, within a 109-foot minimum diameter right-of-way. For residential uses, a 35-foot radius may be allowed if the street has no parking, a mountable curb, curbside sidewalks, and sprinkler systems in every building along the street.

**Response:** A cul-de-sac with a radius of 35 feet, curb-to-curb, within a 90-foot diameter right-of-way containing curbside sidewalks and a mountable curb. Residences along the street are planned to be sprinklered. This criterion is met.

- M. Street Names and Street Signs. Streets that are in alignment with existing named streets shall bear the names of such existing streets. Names for new streets not in alignment with existing streets are subject to approval by the director and the fire chief and shall not unnecessarily duplicate or resemble the name of any existing or platted street in the city. It shall be the responsibility of the land divider to provide street signs.

**Response:** The proposed street is not in alignment with an existing street. The planned name of “Rourke Court” is not a duplicate of nor resembles other street names within the City. The Applicant understands the obligation to provide street signs for the project. These criteria are met.

[...]

- O. Platting Standards for Blocks.

1. Purpose. Streets and walkways can provide convenient travel within a neighborhood and can serve to connect people and land uses. Large, uninterrupted blocks can serve as a barrier to travel, especially walking and biking. Large blocks also can divide rather than unite neighborhoods. To promote connected neighborhoods and to shorten travel distances, the following minimum standards for block lengths are established.
2. Maximum Block Length and Perimeter. The maximum length and perimeters of blocks in the zones listed below shall be according to the following table. The review body for a subdivision,



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partition, conditional use permit, or a Type II design review may require installation of streets or walkways as necessary to meet the standards below.

Zone(s)	Maximum Block Length	Maximum Block Perimeter
R-1	800 feet	2,000 feet

**Response:** The project does not propose large blocks. The entire length of the cul-de-sac is less than 400 feet, creating a block length less than 800 feet and a block perimeter of less 2,000 feet. These criteria are met.

3. Exceptions.

- a. If a public walkway is installed mid-block, the maximum block length and perimeter may be increased by 25 percent.
- b. Where a proposed street divides a block, one of the resulting blocks may exceed the maximum block length and perimeter standards provided the average block length and perimeter of the two resulting blocks do not exceed these standards.
- c. Blocks in excess of the above standards are allowed where access controlled streets, street access spacing standards, railroads, steep slopes, wetlands, water bodies, preexisting development, ownership patterns or similar circumstances restrict street and walkway location and design. In these cases, block length and perimeter shall be as small as practical. Where a street cannot be provided because of these circumstances but a public walkway is still feasible, a public walkway shall be provided.
- d. Institutional campuses located in an R-1 zone may apply the standards for the institutional zone.
- e. Where a block is in more than one zone, the standards of the majority of land in the proposed block shall apply.
- f. Where a local street plan, concept master site development plan, or specific plan has been approved for an area, the block standards shall follow those approved in the plan. In approving such a plan, the review body shall follow the block standards listed above to the extent appropriate for the plan area.

**Response:** The planned subdivision layout meets the standards for block length and perimeter listed above; therefore, no exceptions are required. These criteria do not apply.

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4. **Public Pedestrian Walkways and Bicycle Access.** The approval authority in approving a land use application with conditions may require a developer to provide an access way where the creation of a street consistent with street spacing standards is infeasible and the creation of a cul-de-sac or dead-end street is unavoidable. A public walkway provides a connection through a block that is longer than established standards or connects the end of the street to another right-of-way or a public access easement. A public walkway shall be contained within a public right-of-way or public access easement, as required by the city. A public walkway shall be a minimum of 10 feet wide and shall provide a minimum six-foot-wide paved surface or other all-weather surface approved by the city (see subsection (S) of this section for public walkway standards).

Design features should be considered that allow access to emergency vehicles but that restrict access to non-emergency motorized vehicles.

**Response:** Public pedestrian walkways and bicycle access are not required as part of this project; however, a pedestrian walkway and bicycle access at the western edge of the Rourke Court cul-de-sac leading to the N College Street right-of-way has been planned. The walkway is 10 feet wide with a six-foot-wide paved surface. These criteria are met.

- P. **Private Streets.** New private streets, as defined in NMC 15.05.030, shall not be created, except as allowed by NMC 15.240.020(L)(2).

**Response:** The project does not include private streets. This criterion is met.

- Q. **Traffic Calming.**

1. The following roadway design features may be required in new street construction where traffic calming needs are anticipated:
  - a. Serpentine alignment.
  - b. Curb extensions.
  - c. Traffic diverters/circles.
  - d. Raised medians and landscaping.
  - e. Other methods shown effective through engineering studies.
2. Traffic-calming measures such as speed humps should be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street constructions.

**Response:** The project does not include traffic calming measures as they are not anticipated to be needed. Rourke Court has a short length without long straight portions and ends in a cul-de-sac. These standards do not apply.

R. Vehicular Access Standards.

1. Purpose. The purpose of these standards is to manage vehicle access to maintain traffic flow, safety, roadway capacity, and efficiency. They help to maintain an adequate level of service consistent with the functional classification of the street. Major roadways, including arterials and collectors, serve as the primary system for moving people and goods within and through the city. Access is limited and managed on these roads to promote efficient through movement. Local streets and alleys provide access to individual properties. Access is managed on these roads to maintain safe maneuvering of vehicles in and out of properties and to allow safe through movements. If vehicular access and circulation are not properly designed, these roadways will be unable to accommodate the needs of development and serve their transportation function.

**Response:** New collector and arterial streets are not proposed. Access to individual properties on the planned local street has been designed to safely accommodate the needs of the future property owners as well as transportation system users.

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			
Roadway Functional Classification	Area <sup>1</sup>	Minimum Public Street Intersection Spacing (Feet) <sup>2</sup>	Driveway Setback from Intersecting Street <sup>3</sup>
Expressway	All	Refer to ODOT Access Spacing Standards	NA
Major arterial	Urban CBD	Refer to ODOT Access Spacing Standards	
Minor arterial	Urban CBD	500 200	150 100
Major collector	All	400	150
Minor collector	All	300	100

<sup>1</sup> “Urban” refers to intersections inside the city urban growth boundary outside the central business district (C-3 zone).  
“CBD” refers to intersections within the central business district (C-3 zone).  
“All” refers to all intersections within the Newberg urban growth boundary.

<sup>2</sup> Measured centerline to centerline.

<sup>3</sup> The setback is based on the higher classification of the intersecting streets. Measured from the curb line of the intersecting street to the beginning of the driveway, excluding flares. If the driveway setback listed above would preclude a lot from having at least one driveway, including shared driveways or driveways on adjoining streets, one driveway is allowed as far from the intersection as possible.

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**Response:** The project includes a Minor Arterial, N College Street, adjacent to the project site. N College Street is a state highway and spacing of public street intersections and surrounding driveways is to be determined by ODOT; however, the access spacing standards above are met. The Rourke Court/N College Street intersection is spaced at least 500 feet from another public street and 150 feet from adjacent driveways.

3. Properties with Multiple Frontages. Where a property has frontage on more than one street, access shall be limited to the street with the lesser classification.

**Response:** Lots 10, 11, and 12, as well as Tract A, are planned with two frontages. These lots front both N College Street and Rourke Court. Access to these lots has been planned only from Rourke Court, the street with the lower classification. Therefore, this criterion is met.

[...]

4. Driveways. More than one driveway is permitted on a lot accessed from either a minor collector or local street as long as there is at least 40 feet of lot frontage separating each driveway approach. More than one driveway is permitted on a lot accessed from a major collector as long as there is at least 100 feet of lot frontage separating each driveway approach.

**Response:** Multiple driveways per lot are not planned for the project. This criterion does not apply.

[...]

5. Alley Access. Where a property has frontage on an alley and the only other frontages are on collector or arterial streets, access shall be taken from the alley only. The review body may allow creation of an alley for access to lots that do not otherwise have frontage on a public street provided all of the following are met:

[...]

**Response:** Alley access has not been proposed for this project. These criteria do not apply.

6. Closure of Existing Accesses. Existing accesses that are not used as part of development or redevelopment of a property shall be closed and replaced with curbing, sidewalks, and landscaping, as appropriate.

**Response:** Existing access to the property is provided via Tax Lot 2802 to the north, serving both this property and the North Valley Friends Church. This driveway will be abandoned as part of this project. Residential lots will replace the area of connection. This criterion is met.

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

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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.
- e. Where three or more lots share one driveway, one additional parking space over those otherwise required shall be provided for each dwelling. Where feasible, this shall be provided as a common use parking space adjacent to the driveway.

**Response:** Shared driveways are not planned as part of this project. These criteria do not apply.

- 8. **Frontage Streets and Alleys.** The review body for a partition, subdivision, or design review may require construction of a frontage street to provide access to properties fronting an arterial or collector street.

**Response:** A frontage street is not required adjacent to this Minor Arterial street. Rourke Court provides adequate access to properties adjacent to N College Street. This criterion does not apply.

- 9. **ODOT or Yamhill County Right-of-Way.** Where a property abuts an ODOT or Yamhill County right-of-way, the applicant for any development project shall obtain an access permit from ODOT or Yamhill County.

**Response:** This standard is understood and access permits will be obtained from ODOT as the authority having roadway jurisdiction. This criterion is met.

- 10. **Exceptions.** The director may allow exceptions to the access standards above in any of the following circumstances:

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- a. Where existing and planned future development patterns or physical constraints, such as topography, parcel configuration, and similar conditions, prevent access in accordance with the above standards.
  - b. Where the proposal is to relocate an existing access for existing development, where the relocated access is closer to conformance with the standards above and does not increase the type or volume of access.
  - c. Where the proposed access results in safer access, less congestion, a better level of service, and more functional circulation, both on street and on site, than access otherwise allowed under these standards.
11. Where an exception is approved, the access shall be as safe and functional as practical in the particular circumstance. The director may require that the applicant submit a traffic study by a registered engineer to show the proposed access meets these criteria.

**Response:** Exceptions to the listed access standards are not included as part of this application. These standards do not apply.

S. Public Walkways.

1. Projects subject to Type II design review, partition, or subdivision approval may be required to provide public walkways where necessary for public safety and convenience, or where necessary to meet the standards of this code. Public walkways are meant to connect cul-de-sacs to adjacent areas, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths according to adopted plans, or to provide access to schools, parks or other community destinations or public areas. Where practical, public walkway easements and locations may also be used to accommodate public utilities.
2. Public walkways shall be located within a public access easement that is a minimum of 15 feet in width.
3. A walk strip, not less than 10 feet in width, shall be paved in the center of all public walkway easements. Such paving shall conform to specifications in the Newberg public works design and construction standards.
4. Public walkways shall be designed to meet the Americans with Disabilities Act requirements.

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5. Public walkways connecting one right-of-way to another shall be designed to provide as short and straight of a route as practical.
  6. The developer of the public walkway may be required to provide a homeowners' association or similar entity to maintain the public walkway and associated improvements.
  7. Lighting may be required for public walkways in excess of 250 feet in length.
  8. The review body may modify these requirements where it finds that topographic, preexisting development, or similar constraints exist.

**Response:** Public walkways have not been planned, as they are not necessary to improve circulation and convenience for pedestrians traveling to and through the site. These standards do not apply.

- 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:** Compliance with NMC 15.420.010(B)(4) is demonstrated in the narrative response to that subsection.

- 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:** Street lights are shown in the Preliminary Composite Utility Plan sheet included within the Preliminary Plans (Exhibit A). The Applicant will comply with the street light installation requirements of this Section. This criterion is met.

- V. **Transit Improvements.** Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Newberg transportation system plan or adopted local or regional transit plan, shall be required to provide any of the following, as applicable and required by the review authority:

1. Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section, "reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.

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2. A transit passenger landing pad accessible to disabled persons.
  3. An easement of dedication for a passenger shelter or bench if such facility is in an adopted plan.
  4. Lighting at the transit facility.

**Response:** The project site is not located adjacent to existing or planned transit facilities; therefore, these standards do not apply.

15.505.040 Public utility standards.

- A. Purpose. The purpose of this section is to provide adequate services and facilities appropriate to the scale and type of development.
- B. Applicability. This section applies to all development where installation, extension or improvement of water, wastewater, or private utilities is required to serve the development or use of the subject property.
- 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.

**Response:** The Preliminary Plans (Exhibit A) show that public improvements have been designed to conform to the Newberg Public Works design and construction standards. This criterion is met.

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:** The Preliminary Plans (Exhibit A) illustrate the location, design, installation, and maintenance, where applicable, of all utility lines and facilities. These placements are shown to illustrate the minimum feasible disturbances of soil and site to the greatest extent practicable. The developer will coordinate with the City and ODOT, where applicable, on the installation of all proposed public and private utilities to ensure the orderly extension of utilities within the public right-of-way and easements. This criterion is met.

- 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.



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**Response:** Extension of and connection to the necessary water, wastewater, and stormwater improvements is planned. Utility locations and details are available within the Preliminary Plans (Exhibit A).

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:** Existing water facilities are available within the N College Street right-of-way. The project includes extension of an 8-inch water main within the new Rourke Court right-of-way.

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:** The proposed water facilities conform with City pressure zones and will be looped to provide adequate pressure and fire flows during peak demand. Excess capacity exists at the Oak Knoll Pump Station and the Bell Road Pump Station is scheduled to come online sometime in 2022. Conversations with the City have indicated that sufficient capacity exists to serve this 12-lot subdivision. Installation costs will remain the developer's responsibility. Therefore, this criterion is met.

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 water facilities for the project have been designed to loop back to the N College Street water main. Adjacent developments are not anticipated to be served via water facilities within Rourke Court due to the layout of the proposed, existing, and any possible future developments.

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 requirement is understood.

- 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

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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:** The existing septic system on site will be decommissioned prior to development of the site in accordance with Yamhill County standards. This criterion can be met.

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.

**Response:** Wastewater gravity service to all proposed lots has been planned. Connection to an existing 10-inch gravity wastewater service will be made at a manhole at the intersection of Rourke Court and N College Street. Therefore, this criterion is met.

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:** As shown on the Preliminary Plans (Exhibit A), the proposed wastewater system will be linked to existing collection facilities. Sanitary sewer mains are planned to be 8 inches in diameter. All necessary easements required for the construction of these facilities will be obtained by the Applicant and granted to the City pursuant to City requirements. Therefore, this criterion is met.

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:** The proposed wastewater facilities will be sized to provide adequate capacity during peak flows from the entire area potentially served by the facilities. Installation costs will remain the developer's responsibility. This criterion is met.

5. Temporary wastewater service facilities, including pumping stations, will be permitted only if the director approves the temporary facilities, and the

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developer provides for all facilities that are necessary for transition to permanent facilities.

**Response:** The project does not include temporary wastewater service facilities. This standard does not apply.

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 extension of wastewater service facilities will not be able to feasibly serve other developments or upstream properties. This standard does not apply.

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 standard is understood.

- 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.

**Response:** The preliminary plans show a 10-foot public utility easement (PUE) planned for franchise utilities along all public rights-of-way. Easements will be recorded on easement forms approved by the City and designated on the final plat. This criterion is met.

15.505.050 Stormwater system standards.

- A. Purpose. The purpose of this section is to provide for the drainage of surface water from all development; to minimize erosion; and to reduce degradation of water quality due to sediments and pollutants in stormwater runoff.
- B. Applicability. The provisions of this section apply to all developments subject to site development review or land division review and to the reconstruction or expansion of such developments that increases the flow or changes the point of discharge to the city stormwater system. Additionally, the provisions of this section shall apply to all drainage facilities that impact any public storm drain system, public right-of-way or public easement, including but not limited to off-street parking and loading areas.
- C. General Requirement. All stormwater runoff shall be conveyed to a public storm wastewater or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.

---

**Response:** The Preliminary Plans show stormwater runoff will be collected by a proposed on-site stormwater facility and conveyed to an existing main in N College Street which has adequate capacity to carry the facility's discharge. Also proposed are the rerouting of two roadside drainage ditches along N College Street due to the needed improvement of N College Street. The Applicant will be responsible for all costs associated with designing and constructing the facilities necessary to meet this requirement. This criterion is met.

- D. **Plan for Stormwater and Erosion Control.** No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the State of Oregon prepares a stormwater report and erosion control plan for the project. This plan shall contain at a minimum:
1. The methods to be used to minimize the amount of runoff, sedimentation, and pollution created from the development both during and after construction.
  2. Plans for the construction of stormwater facilities and any other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the stormwater plans.
  3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included in the stormwater report and shall be stamped by a licensed professional engineer in the State of Oregon. Peak design discharges shall be computed based upon the design criteria outlined in the public works design and construction standards for the city.

**Response:** A Preliminary Stormwater Report has been included with the application materials (Exhibit G) which complies with the standards listed above. This criterion is met.

- E. **Development Standards.** Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the Newberg public works design and construction standards.

**Response:** Development subject to this section has been planned, designed, and will be constructed and maintained in compliance with the Newberg public works design and construction standards. This criterion is met.

#### **IV. Conclusion**

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the Newberg Development Code. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve this Preliminary Subdivision Plat application.

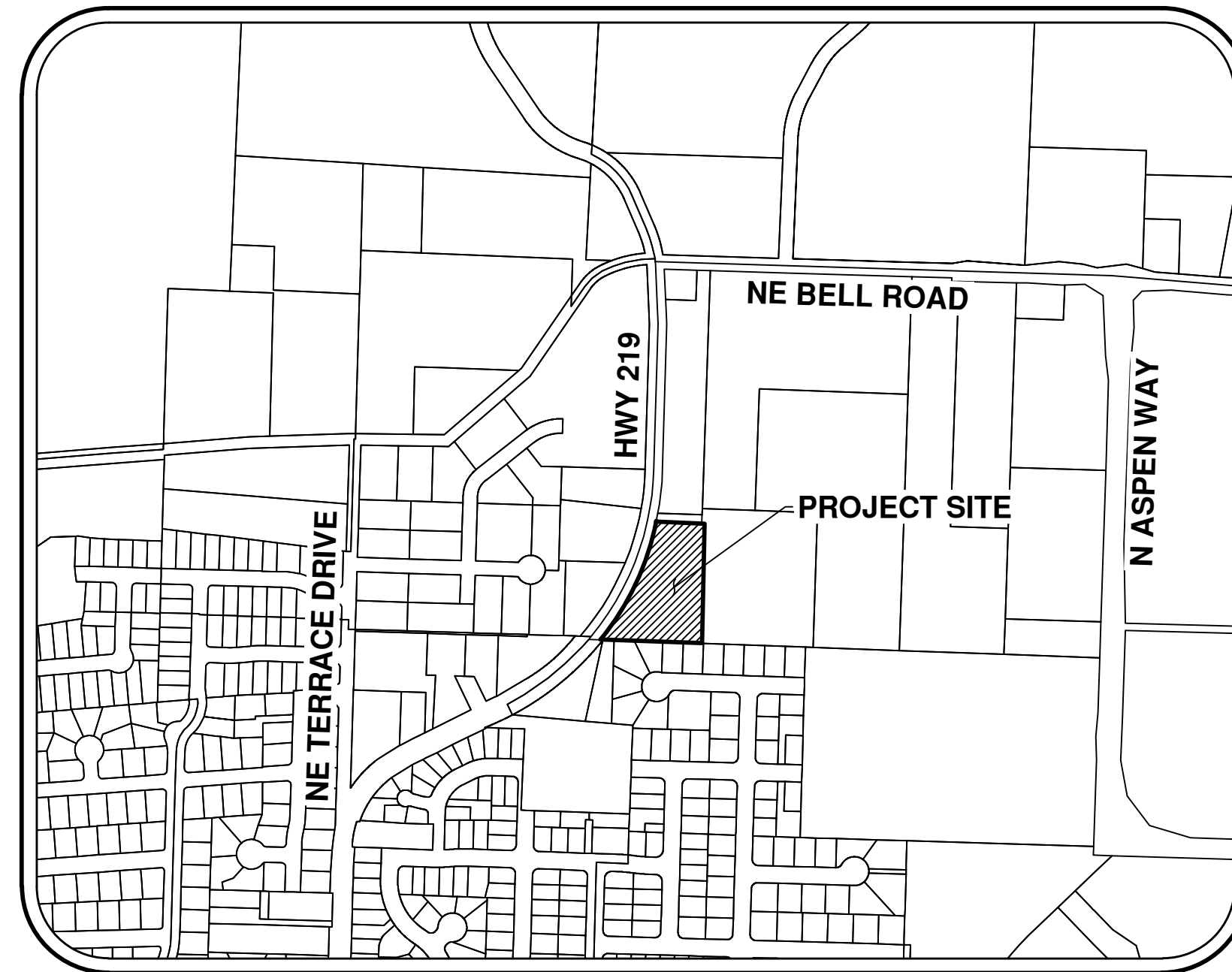
## Exhibit A: Preliminary Plans

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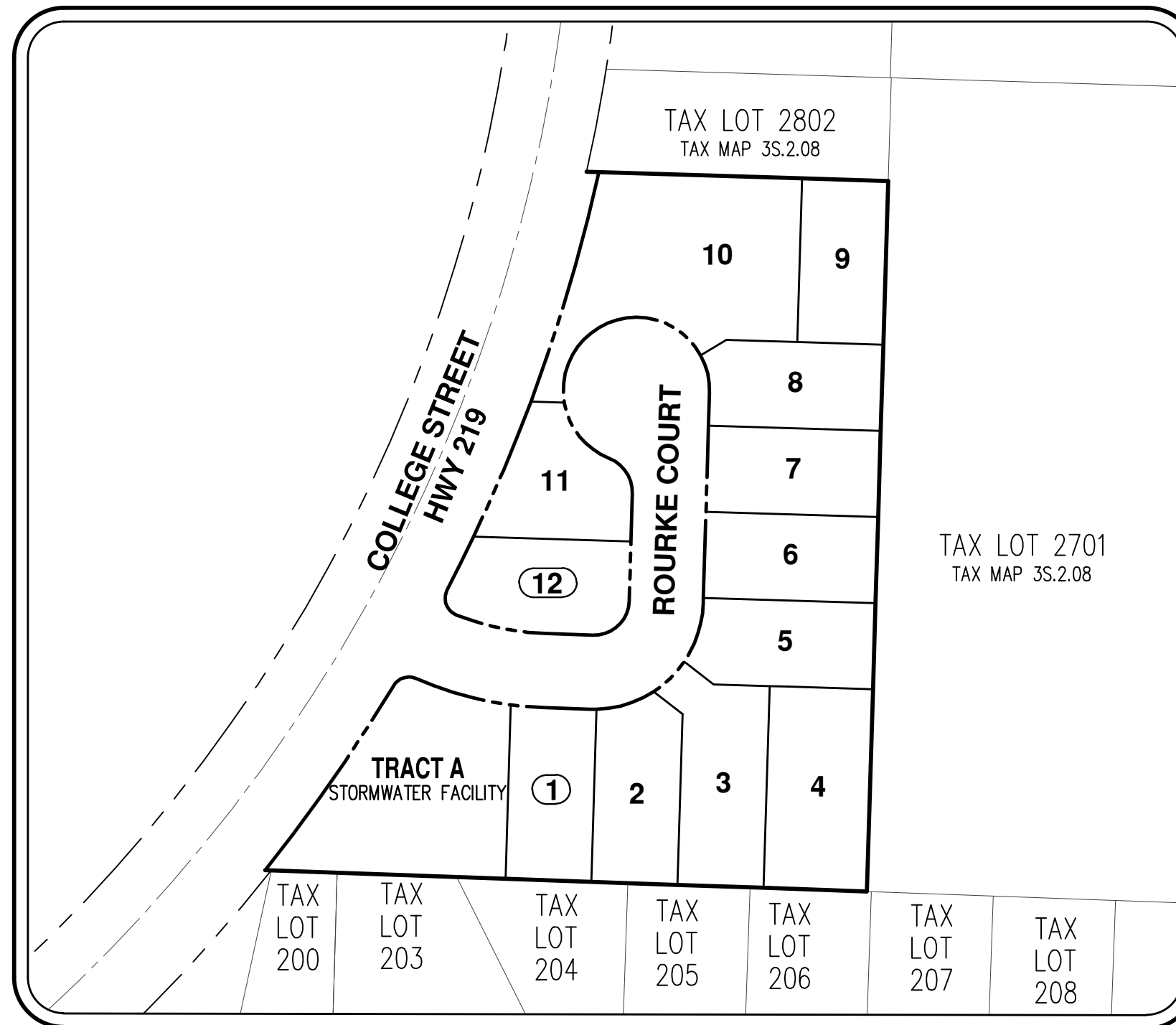
# ROURKE DEVELOPMENT SUBDIVISION

## SUBDIVISION APPLICATION PLANS



**VICINITY MAP**

1"=500'



**SITE MAP**

1"=80'

**APPLICANT**

ROURKE DEVELOPMENT, LLC  
CONTACT: BILL ROURKE  
1201 FULTON ST, #13  
NEWBERG, OR 97132

**OWNER**

BILL ROURKE  
1201 FULTON ST, #13  
NEWBERG, OR 97132

**PLANNING/CIVIL ENGINEERING/SURVEYING/  
NATURAL RESOURCE/ARBORIST/LANDSCAPE  
ARCHITECTURE FIRM**

AKS ENGINEERING & FORESTRY, LLC  
CONTACT: GLEN SOUTHERLAND, AICP  
12965 SW HERMAN ROAD, SUITE 100  
TUALATIN, OR 97062  
PH: 503-563-6151  
EMAIL: SOUTHERLANDG@AKS-ENG.COM

**PROJECT LOCATION**

4016 N COLLEGE STREET, NEWBERG, OREGON

**PROPERTY DESCRIPTION**

TAX LOT 2900 (YAMHILL COUNTY ASSESSOR'S MAP 3S 2 08) LOCATED IN THE NORTHWEST 1/4 OF SECTION 08, TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON

**EXISTING LAND USE**

SINGLE-FAMILY RESIDENTIAL

**PROJECT PURPOSE**

12 LOT SINGLE-FAMILY DETACHED RESIDENTIAL SUBDIVISION IN THE R-1 DISTRICT

**VERTICAL DATUM**

ELEVATIONS ARE BASED ON TRIMBLE VRS NOW NETWORK OBSERVATIONS (NAVD88) AND CHECKED AGAINST YAMHILL COUNTY STATION NO. 22. LOCATED AT THE NORTHERLY RIGHT-OF-WAY LINE OF DOUGLAS AVENUE AND ON THE CENTERLINE OF SPRINGBROOK WAY. ELEVATION = 337.24 FEET (NAVD 88).

**LEGEND**

	EXISTING	PROPOSED		EXISTING	PROPOSED
DECIDUOUS TREE			STORM DRAIN CLEAN OUT		
CONIFEROUS TREE			STORM DRAIN CATCH BASIN		
FIRE HYDRANT			STORM DRAIN AREA DRAIN		
WATER BLOWOFF			STORM DRAIN MANHOLE		
WATER METER			GAS METER		
WATER VALVE			GAS VALVE		
DOUBLE CHECK VALVE			GUY WIRE ANCHOR		
AIR RELEASE VALVE			UTILITY POLE		
SANITARY SEWER CLEAN OUT			POWER VAULT		
SANITARY SEWER MANHOLE			POWER JUNCTION BOX		
SIGN			POWER PEDESTAL		
STREET LIGHT			COMMUNICATIONS VAULT		
MAILBOX			COMMUNICATIONS JUNCTION BOX		
			COMMUNICATIONS RISER		

	EXISTING	PROPOSED
RIGHT-OF-WAY LINE		
BOUNDARY LINE		
PROPERTY LINE		
CENTERLINE		
DITCH		
CURB		
EDGE OF PAVEMENT		
EASEMENT		
FENCE LINE		
GRAVEL EDGE		
POWER LINE		
OVERHEAD WIRE		
COMMUNICATIONS LINE		
FIBER OPTIC LINE		
GAS LINE		
STORM DRAIN LINE		
SANITARY SEWER LINE		
WATER LINE		

### SHEET INDEX

- P01 COVER SHEET WITH SITE AND VICINITY MAPS
- P02 EXISTING CONDITIONS PLAN
- P03 AERIAL PHOTO SITE MAP
- P04 PRELIMINARY PLAT AND SETBACKS PLAN
- P05 PRELIMINARY STREET PLAN AND CROSS SECTION
- P06 PRELIMINARY STREET PROFILES
- P07 PRELIMINARY COMPOSITE UTILITY PLAN
- P08 PRELIMINARY GRADING PLAN
- P09 PRELIMINARY DEMOLITION PLAN
- P10 NEIGHBORHOOD CIRCULATION PLAN



RENEWAL DATE: 6/30/22  
JOB NUMBER: 4612  
DATE: 10/15/2021  
DESIGNED BY: CH  
DRAWN BY: CH  
CHECKED BY: PAS

**EXISTING CONDITIONS PLAN  
 ROURKE DEVELOPMENT SUBDIVISION  
 ROURKE DEVELOPMENT  
 NEWBERG, OREGON**

REGISTERED PROFESSIONAL LAND SURVEYOR  
 PRELIMINARY NOT FOR CONSTRUCTION  
 DATE: APR 12, 2018  
 PROJECT: S. KALINA 89558PLS  
 RENEWS: 6/30/23

JOB NUMBER: 4612  
 DATE: 10/15/2021  
 DESIGNED BY: CH  
 DRAWN BY: CH  
 CHECKED BY: PAS

**HATCH LEGEND**

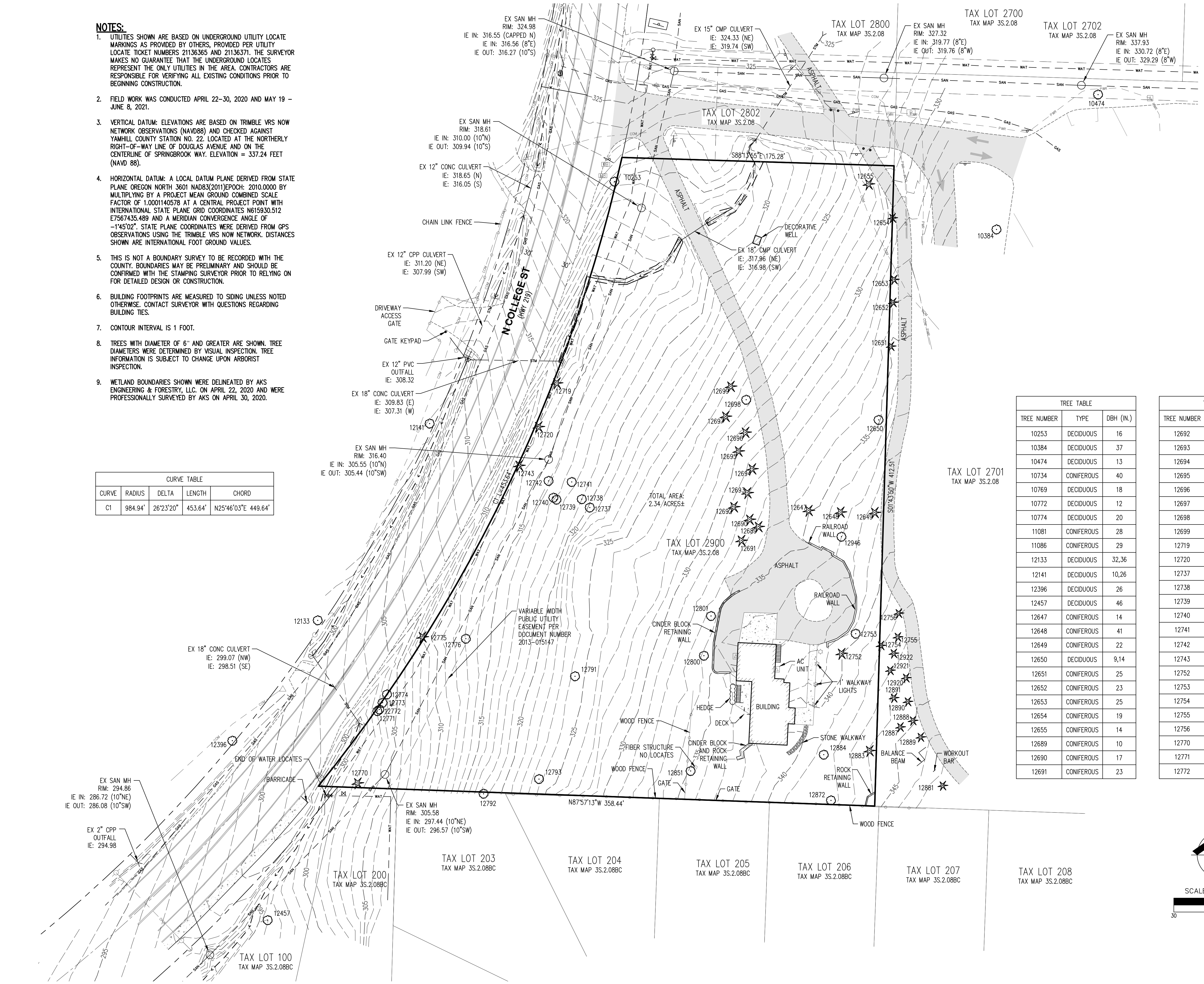
— EXISTING AC PAVEMENT

— EXISTING CONCRETE

- NOTES:**
- UTILITIES SHOWN ARE BASED ON UNDERGROUND UTILITY LOCATE MARKINGS AS PROVIDED BY OTHERS. PROVIDED PER UTILITY LOCATE TICKET NUMBERS 21136365 AND 21136371. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND LOCATES REPRESENT THE ONLY UTILITIES IN THE AREA. CONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
  - FIELD WORK WAS CONDUCTED APRIL 22–30, 2020 AND MAY 19 – JUNE 8, 2021.
  - VERTICAL DATUM: ELEVATIONS ARE BASED ON TRIMBLE VRS NOW NETWORK OBSERVATIONS (NAVD88) AND CHECKED AGAINST YAMHILL COUNTY STATION NO. 22. LOCATED AT THE NORTHERLY RIGHT-OF-WAY LINE OF DOUGLAS AVENUE AND ON THE CENTERLINE OF SPRINGBROOK WAY. ELEVATION = 337.24 FEET (NAVD 88).
  - HORIZONTAL DATUM: A LOCAL DATUM PLANE DERIVED FROM STATE PLANE OREGON NORTH 3601 NAD83(2011)EPOCH: 2010.0000 BY MULTIPLYING BY A PROJECT MEAN GROUND COMBINED SCALE FACTOR OF 1.000140578 AT A CENTRAL PROJECT POINT WITH INTERNATIONAL STATE PLANE GRID COORDINATES N615930.512 E7567435.489 AND A MERIDIAN CONVERGENCE ANGLE OF -1'45"02". STATE PLANE COORDINATES WERE DERIVED FROM GPS OBSERVATIONS USING THE TRIMBLE VRS NOW NETWORK. DISTANCES SHOWN ARE INTERNATIONAL FOOT GROUND VALUES.
  - THIS IS NOT A BOUNDARY SURVEY TO BE RECORDED WITH THE COUNTY. BOUNDARIES MAY BE PRELIMINARY AND SHOULD BE CONFIRMED WITH THE STAMPING SURVEYOR PRIOR TO RELYING ON FOR DETAILED DESIGN OR CONSTRUCTION.
  - BUILDING FOOTPRINTS ARE MEASURED TO SIDING UNLESS NOTED OTHERWISE. CONTACT SURVEYOR WITH QUESTIONS REGARDING BUILDING TIES.
  - CONTOUR INTERVAL IS 1 FOOT.
  - TREES WITH DIAMETER OF 6" AND GREATER ARE SHOWN. TREE DIAMETERS WERE DETERMINED BY VISUAL INSPECTION. TREE INFORMATION IS SUBJECT TO CHANGE UPON ARBORIST INSPECTION.
  - WETLAND BOUNDARIES SHOWN WERE DELINEATED BY AKS ENGINEERING & FORESTRY, LLC. ON APRIL 22, 2020 AND WERE PROFESSIONALLY SURVEYED BY AKS ON APRIL 30, 2020.

**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	984.94'	26°23'20"	453.64'	N25°46'03"E 449.64'



**TREE TABLE**

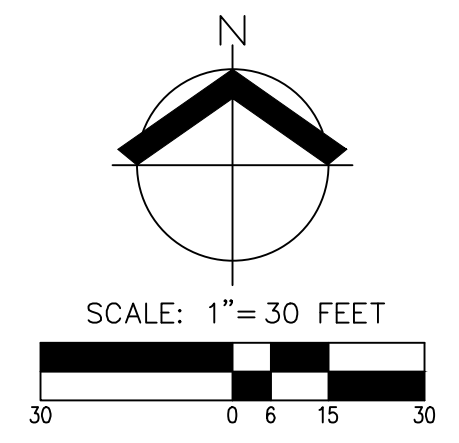
TREE NUMBER	TYPE	DBH (IN.)
10253	DECIDUOUS	16
10384	DECIDUOUS	37
10474	DECIDUOUS	13
10734	CONIFEROUS	40
10769	DECIDUOUS	18
10772	DECIDUOUS	12
10774	DECIDUOUS	20
11081	CONIFEROUS	28
11086	CONIFEROUS	29
12133	DECIDUOUS	32,36
12141	DECIDUOUS	10,26
12396	DECIDUOUS	26
12457	DECIDUOUS	46
12647	CONIFEROUS	14
12648	CONIFEROUS	41
12649	CONIFEROUS	22
12650	DECIDUOUS	9,14
12651	CONIFEROUS	25
12652	CONIFEROUS	23
12653	CONIFEROUS	25
12654	CONIFEROUS	19
12655	CONIFEROUS	14
12689	CONIFEROUS	10
12690	CONIFEROUS	17
12691	CONIFEROUS	23

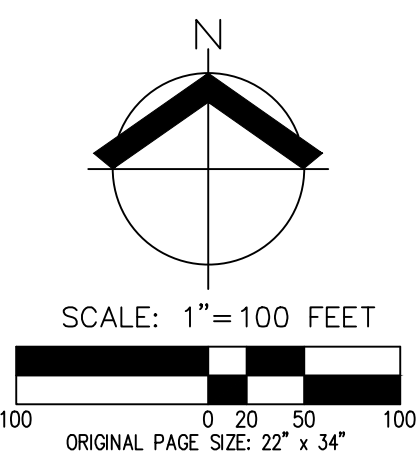
**TREE TABLE**

TREE NUMBER	TYPE	DBH (IN.)
12692	CONIFEROUS	20
12693	CONIFEROUS	21
12694	CONIFEROUS	22
12695	CONIFEROUS	24
12696	CONIFEROUS	22
12697	CONIFEROUS	9
12698	DECIDUOUS	9
12699	CONIFEROUS	20
12719	CONIFEROUS	23
12720	CONIFEROUS	26
12737	DECIDUOUS	20
12738	DECIDUOUS	9
12739	DECIDUOUS	9
12740	DECIDUOUS	7
12741	DECIDUOUS	11,13
12742	DECIDUOUS	9,12,12
12743	CONIFEROUS	14
12752	CONIFEROUS	11
12753	DECIDUOUS	7
12754	CONIFEROUS	22
12755	CONIFEROUS	19
12756	CONIFEROUS	19
12770	CONIFEROUS	20
12771	DECIDUOUS	10
12772	DECIDUOUS	7,7

**TREE TABLE**

TREE NUMBER	TYPE	DBH (IN.)
12773	DECIDUOUS	7
12774	DECIDUOUS	13
12775	CONIFEROUS	12
12776	DECIDUOUS	12
12791	DECIDUOUS	10
12792	DECIDUOUS	7,8
12793	DECIDUOUS	23
12800	DECIDUOUS	29
12801	DECIDUOUS	10
12851	DECIDUOUS	20
12872	DECIDUOUS	9
12881	CONIFEROUS	46
12883	CONIFEROUS	31
12884	DECIDUOUS	12
12887	CONIFEROUS	17
12888	CONIFEROUS	9
12889	CONIFEROUS	30
12890	CONIFEROUS	16
12891	CONIFEROUS	29
12920	CONIFEROUS	18
12921	CONIFEROUS	16
12922	CONIFEROUS	10,10
12946	DECIDUOUS	6





**AERIAL PHOTO SITE MAP**  
**ROURKE DEVELOPMENT SUBDIVISION**  
**ROURKE DEVELOPMENT**  
**NEWBERG, OREGON**



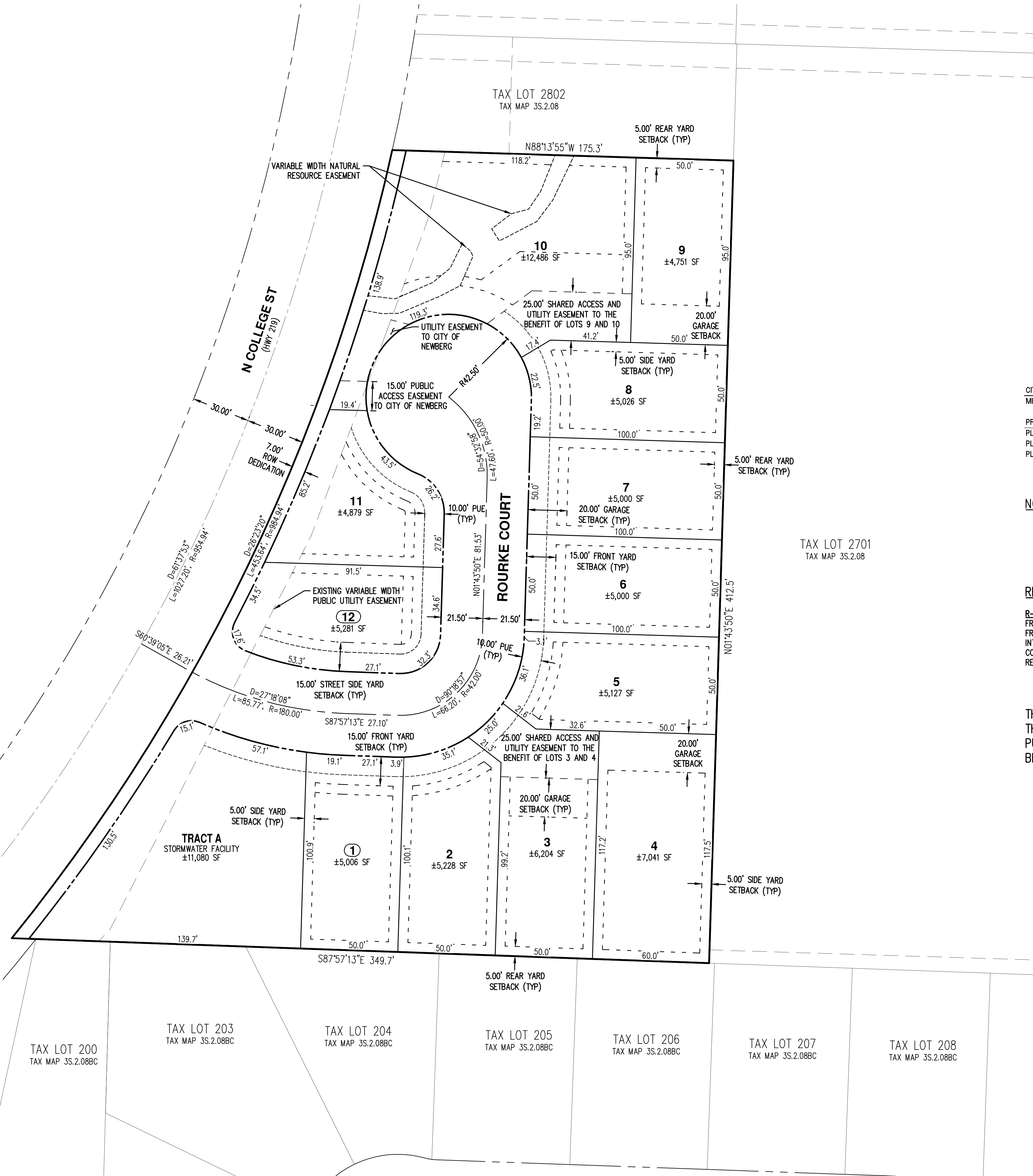
RENEWAL DATE: 6/30/22  
 JOB NUMBER: 4612  
 DATE: 10/15/2021  
 DESIGNED BY: CH  
 DRAWN BY: CH  
 CHECKED BY: PAS

**AKS**  
 AKS ENGINEERING & FORESTRY, LLC  
 12965 SW HERMAN RD, STE 100  
 TUALATIN, OR 97062  
 503.563.6151  
 WWW.AKS-ENG.COM  
 ENGINEERING · SURVEYING · NATURAL RESOURCES  
 FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE

NOTE: AERIAL PHOTOGRAPH  
 OBTAINED FROM OREGON  
 SPATIAL DATA LIBRARY,  
 2018



**PRELIMINARY PLAT AND SETBACKS PLAN  
 ROURKE DEVELOPMENT SUBDIVISION  
 ROURKE DEVELOPMENT  
 NEWBERG, OREGON**



CITY OF NEWBERG R-1 ZONING REQUIREMENTS

MINIMUM AVERAGE LOT AREA	5,000 SF
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PROJECT DETAILS

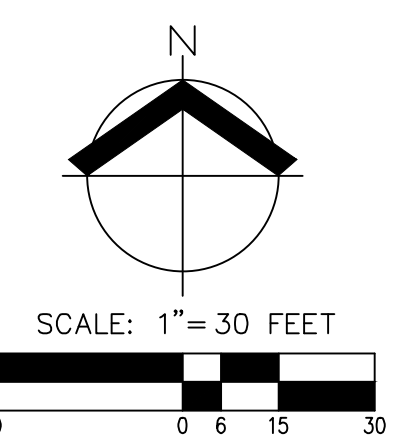
PLANNED # OF SINGLE-FAMILY LOTS	12 LOTS
PLANNED MINIMUM LOT AREA	4,751 SF
PLANNED AVERAGE LOT SIZE	5,919 SF

- NOTES:**
- TRACT A IS A STORMWATER FACILITY TO BE OWNED AND MAINTAINED BY CITY OF NEWBERG.

**REQUIRED MINIMUM SETBACKS**

<b>R-1 DISTRICT</b>	
FRONT YARD	15 FT
FRONT YARD TO GARAGE	20 FT
INTERIOR SIDE YARD	5 FT
CORNER SIDE YARD	15 FT
REAR YARD	5 FT

THE PURPOSE OF THE PRELIMINARY PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS FOR PLANNING PURPOSES. THIS IS NOT A FINAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES.



AKS DRAWING FILE: 4612 PLAT.DWG | LAYOUT: P04

TAX LOT 100  
 TAX MAP 35.2.08BC

TAX LOT 200  
 TAX MAP 35.2.08BC

TAX LOT 203  
 TAX MAP 35.2.08BC

TAX LOT 204  
 TAX MAP 35.2.08BC

TAX LOT 205  
 TAX MAP 35.2.08BC

TAX LOT 206  
 TAX MAP 35.2.08BC

TAX LOT 207  
 TAX MAP 35.2.08BC

TAX LOT 208  
 TAX MAP 35.2.08BC

TAX LOT 2802  
 TAX MAP 35.2.08

TAX LOT 2701  
 TAX MAP 35.2.08

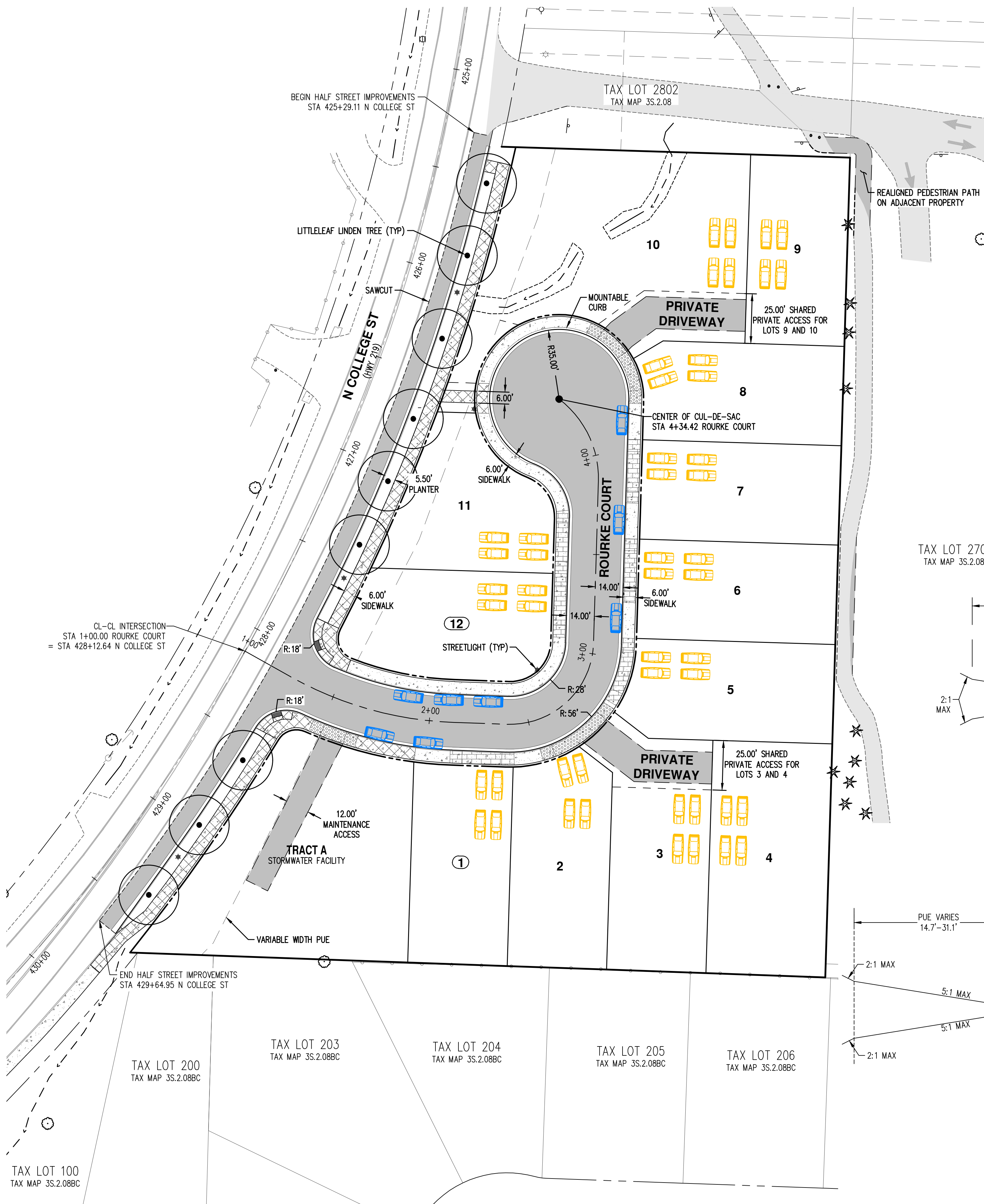
REGISTERED PROFESSIONAL LAND SURVEYOR  
 PRELIMINARY NOT FOR CONSTRUCTION  
 APR 12, 2018  
 KIMBERLY S. KALINA  
 89558PLS  
 RENEWS: 6/30/23

JOB NUMBER: 4612  
 DATE: 10/15/2021  
 DESIGNED BY: CH  
 DRAWN BY: CH  
 CHECKED BY: PAS

**P04**

**PRELIMINARY STREET PLAN AND CROSS SECTION  
 ROURKE DEVELOPMENT SUBDIVISION  
 ROURKE DEVELOPMENT  
 NEWBERG, OREGON**

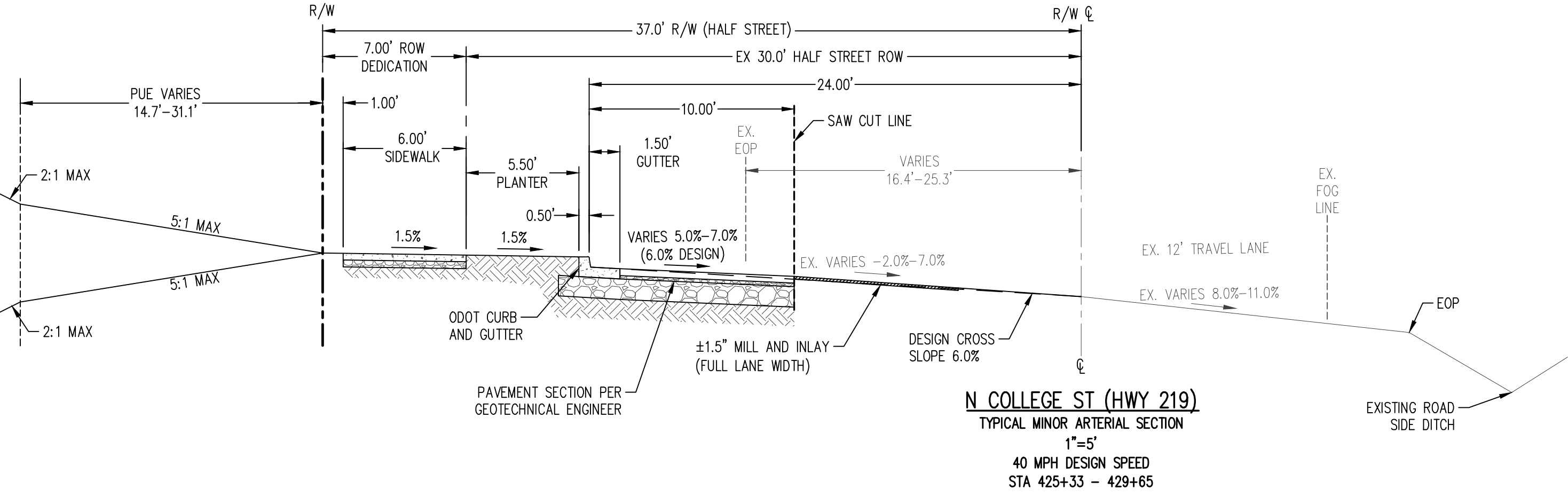
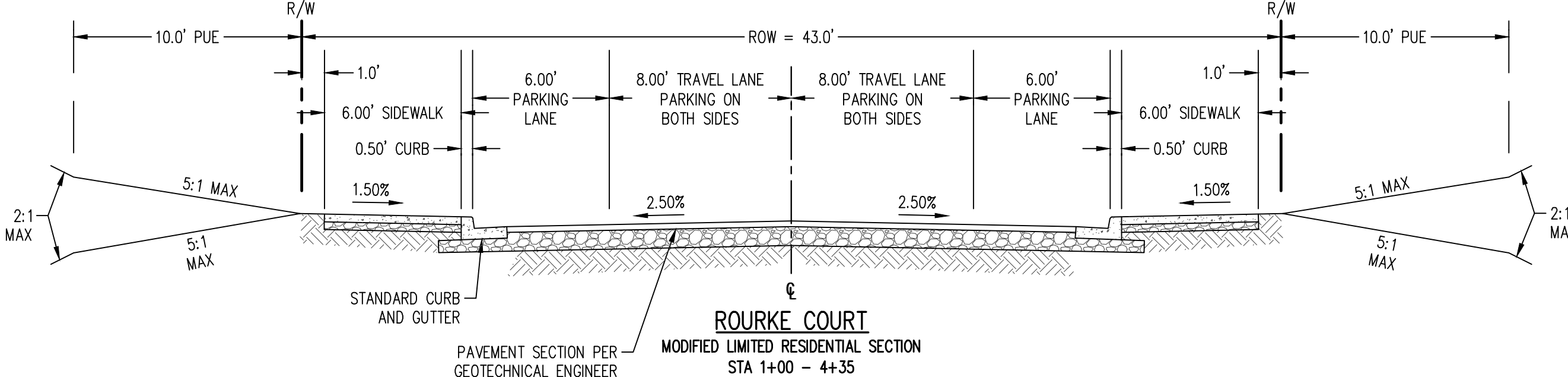
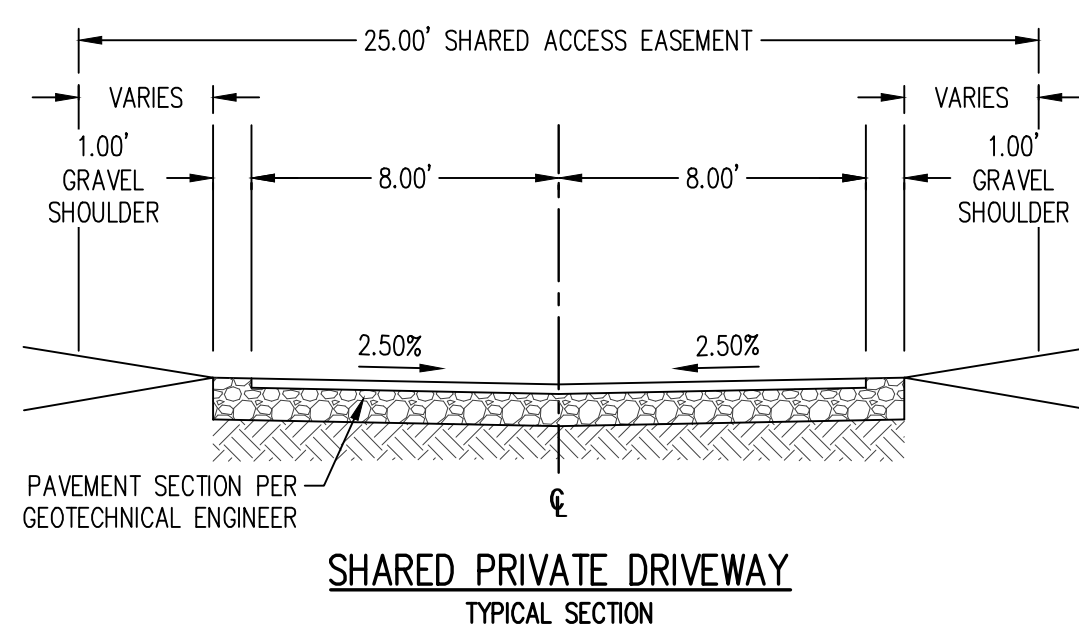
REGISTERED PROFESSIONAL  
 LAND SURVEYOR  
 NOT FOR CONSTRUCTION  
 APR 20 2021  
 C. A. SELLIE  
 RENEWAL DATE: 6/30/22  
 JOB NUMBER: 4612  
 DATE: 10/15/2021  
 DESIGNED BY: CH  
 DRAWN BY: CH  
 CHECKED BY: PAS



**PRELIMINARY STREET TREE SCHEDULE\***

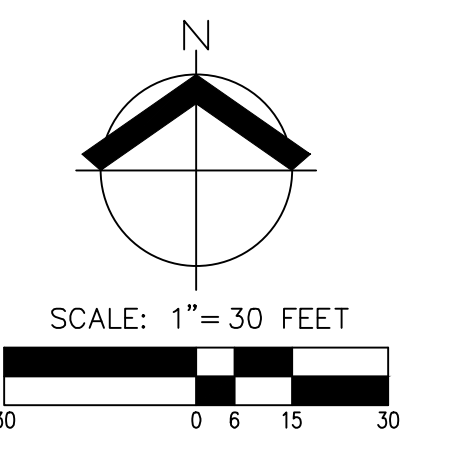
STREET TREES	BOTANICAL NAME	COMMON NAME
	TILIA CORDATA	LITTLELEAF LINDEN

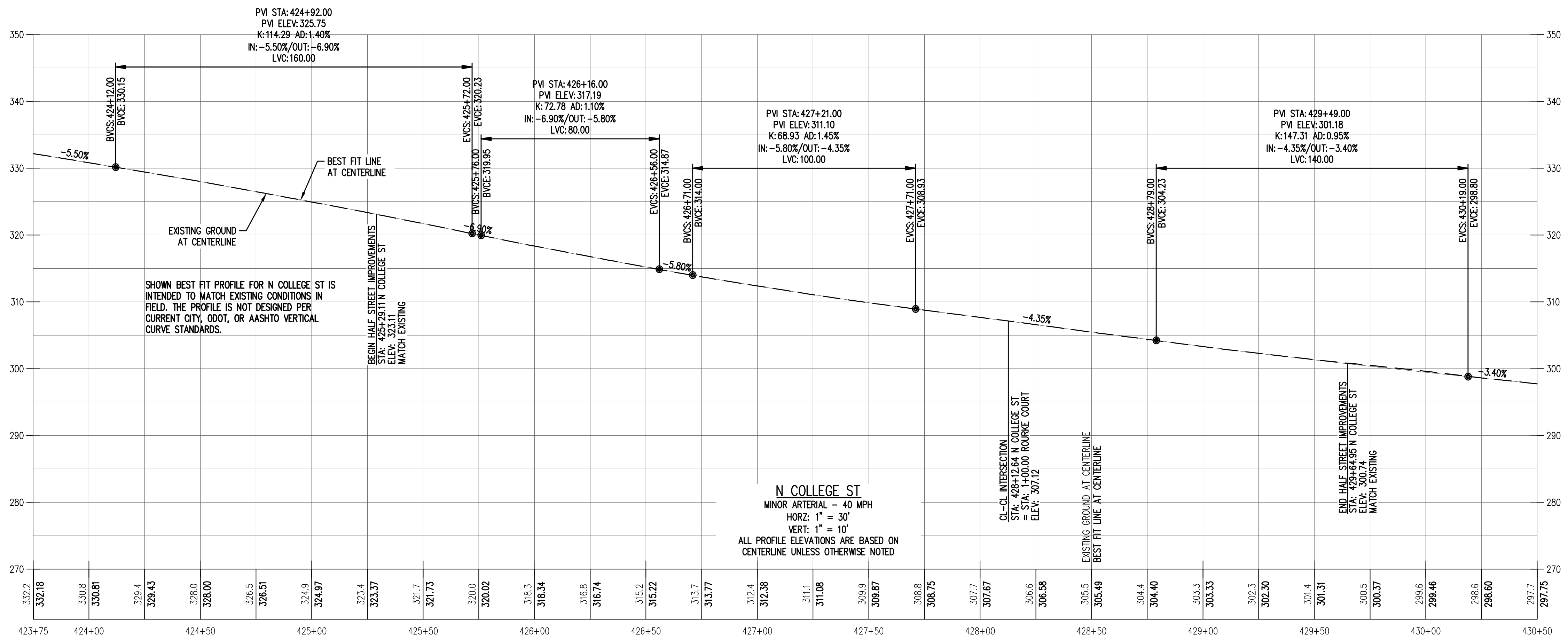
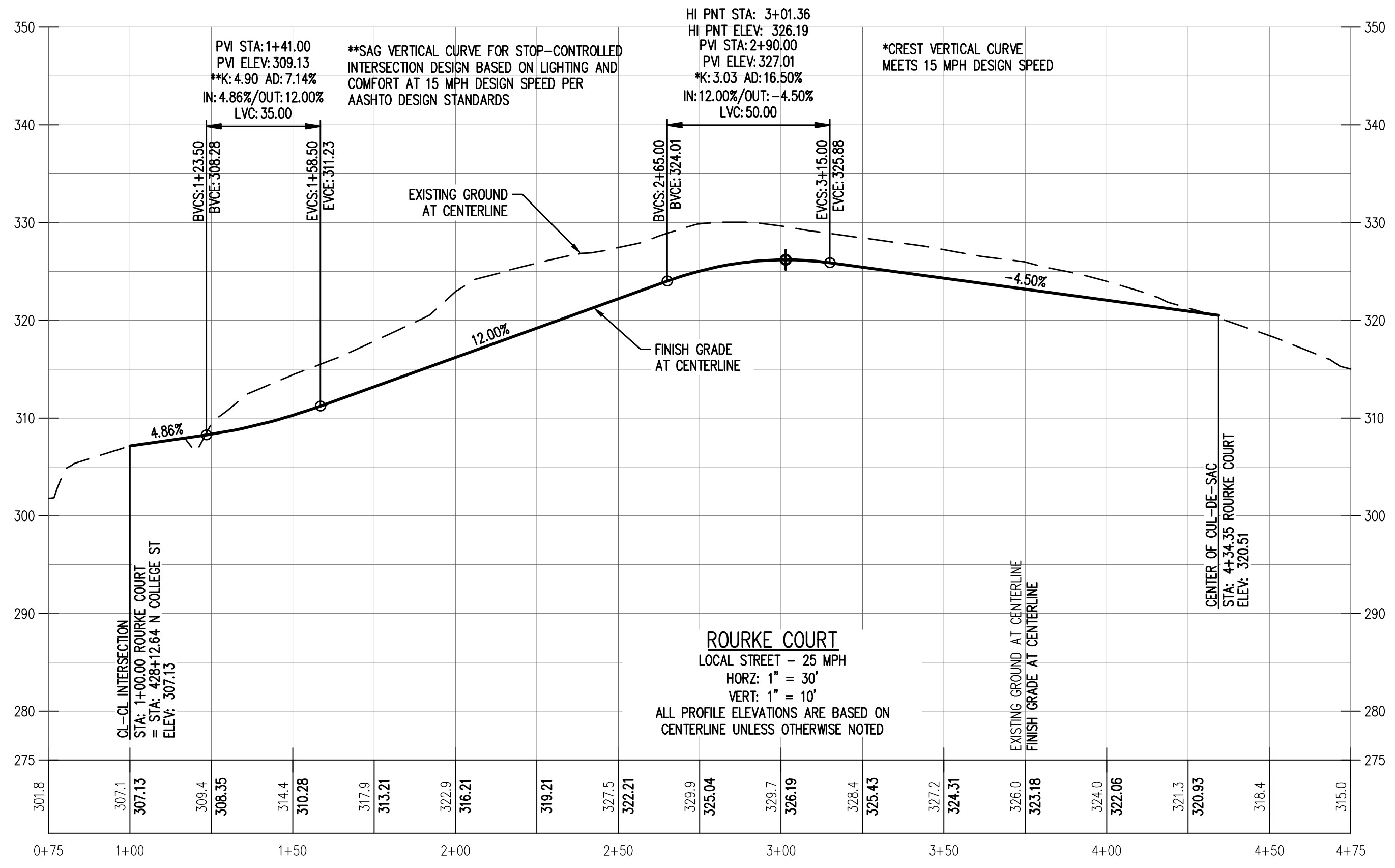
\*ALL PLANTINGS ARE PRELIMINARY AND SHOWN TO CONVEY DESIGN INTENT ONLY. LOCATIONS, SPECIES, ETC. ARE SUBJECT TO CHANGE.



**LEGEND**

- CONCRETE SIDEWALK CONSTRUCTED BY CONTRACTOR
- CONCRETE SIDEWALK CONSTRUCTED BY HOME BUILDER
- EXISTING AC PAVEMENT
- NEW AC PAVEMENT BY CONTRACTOR
- RESIDENTIAL CONCRETE DRIVEWAY BY HOME BUILDER
- RESIDENTIAL CONCRETE DRIVEWAY BY CONTRACTOR
- ADA RAMP CONSTRUCTED BY CONTRACTOR
- ON-STREET PARKING
- OFF-STREET PARKING





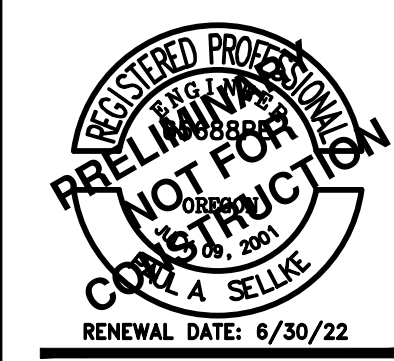
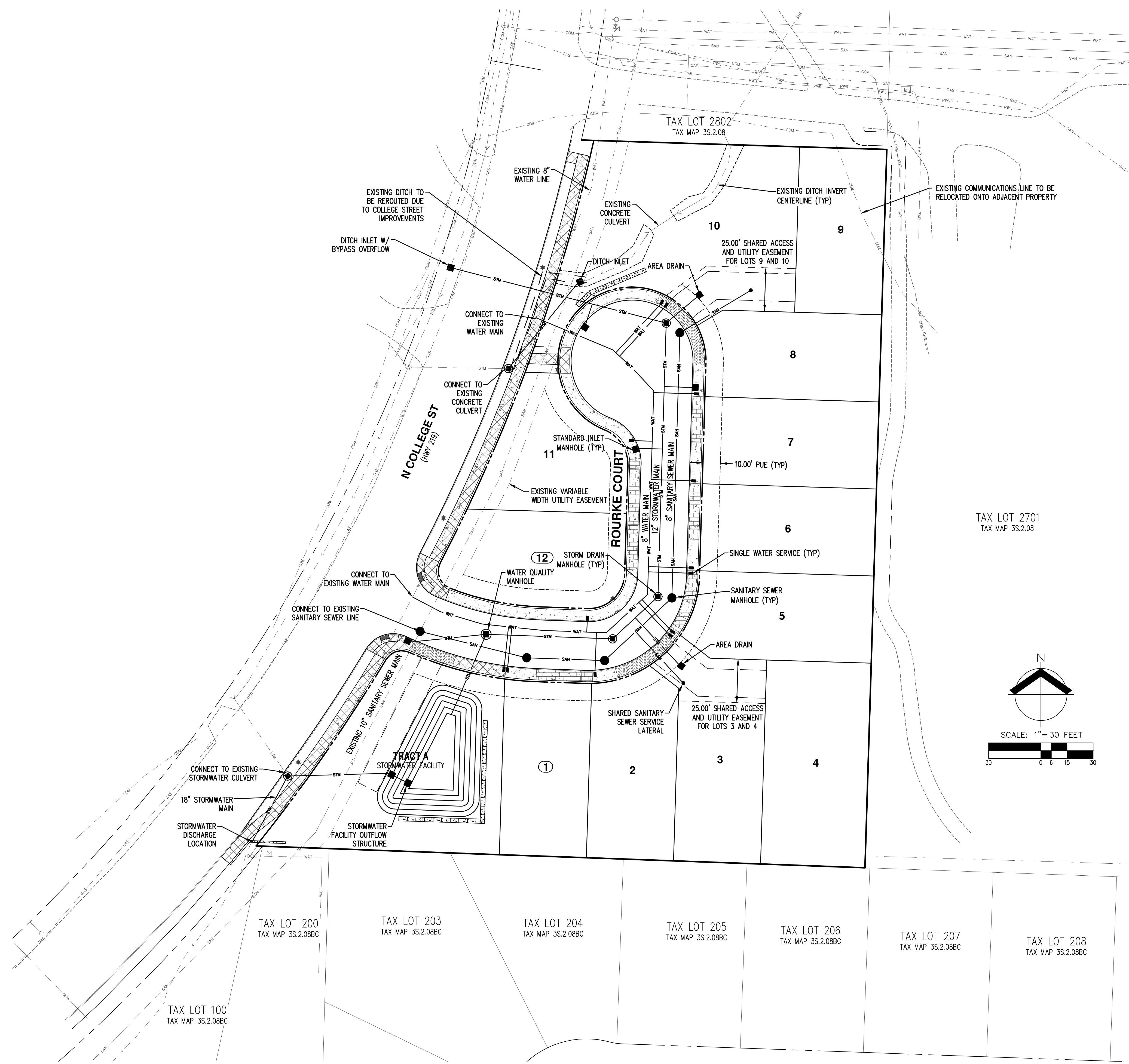
**PRELIMINARY STREET PROFILES**  
**ROURKE DEVELOPMENT SUBDIVISION**  
**ROURKE DEVELOPMENT**  
**NEWBERG, OREGON**



RENEWAL DATE: 6/30/22

JOB NUMBER:	4612
DATE:	10/15/2021
DESIGNED BY:	CH
DRAWN BY:	CH
CHECKED BY:	PAS

**PRELIMINARY COMPOSITE UTILITY PLAN  
 ROURKE DEVELOPMENT SUBDIVISION  
 ROURKE DEVELOPMENT  
 NEWBERG, OREGON**



RENEWAL DATE:	6/30/22
JOB NUMBER:	4612
DATE:	10/15/2021
DESIGNED BY:	CH
DRAWN BY:	CH
CHECKED BY:	PAS



**LEGEND**

- EXISTING GROUND CONTOUR (1 FT) [dashed line]
- EXISTING GROUND CONTOUR (5 FT) [solid line]
- FINISHED GRADE CONTOUR (1 FT) [dashed line]
- FINISHED GRADE CONTOUR (5 FT) [solid line]
- DRAINAGE FLOW DIRECTION [arrow]
- EXISTING TREE TO BE PRESERVED [star symbol]
- NEW AC PAVEMENT [shaded area]
- DISTURBED AREA BOUNDARY [dashed line]
- TREE PROTECTION FENCE [wavy line]

SCALE: 1" = 30 FEET

**PRELIMINARY GRADING PLAN  
ROURKE DEVELOPMENT SUBDIVISION  
ROURKE DEVELOPMENT  
NEWBERG, OREGON**

REGISTERED PROFESSIONAL ENGINEER  
OREGON  
NO. 12345  
EXPIRES 12/31/2021  
C. A. SELLIE

RENEWAL DATE: 6/30/22

JOB NUMBER: 4612  
DATE: 10/15/2021  
DESIGNED BY: CH  
DRAWN BY: CH  
CHECKED BY: PAS

**PRELIMINARY DEMOLITION PLAN  
 ROURKE DEVELOPMENT SUBDIVISION  
 ROURKE DEVELOPMENT  
 NEWBERG, OREGON**



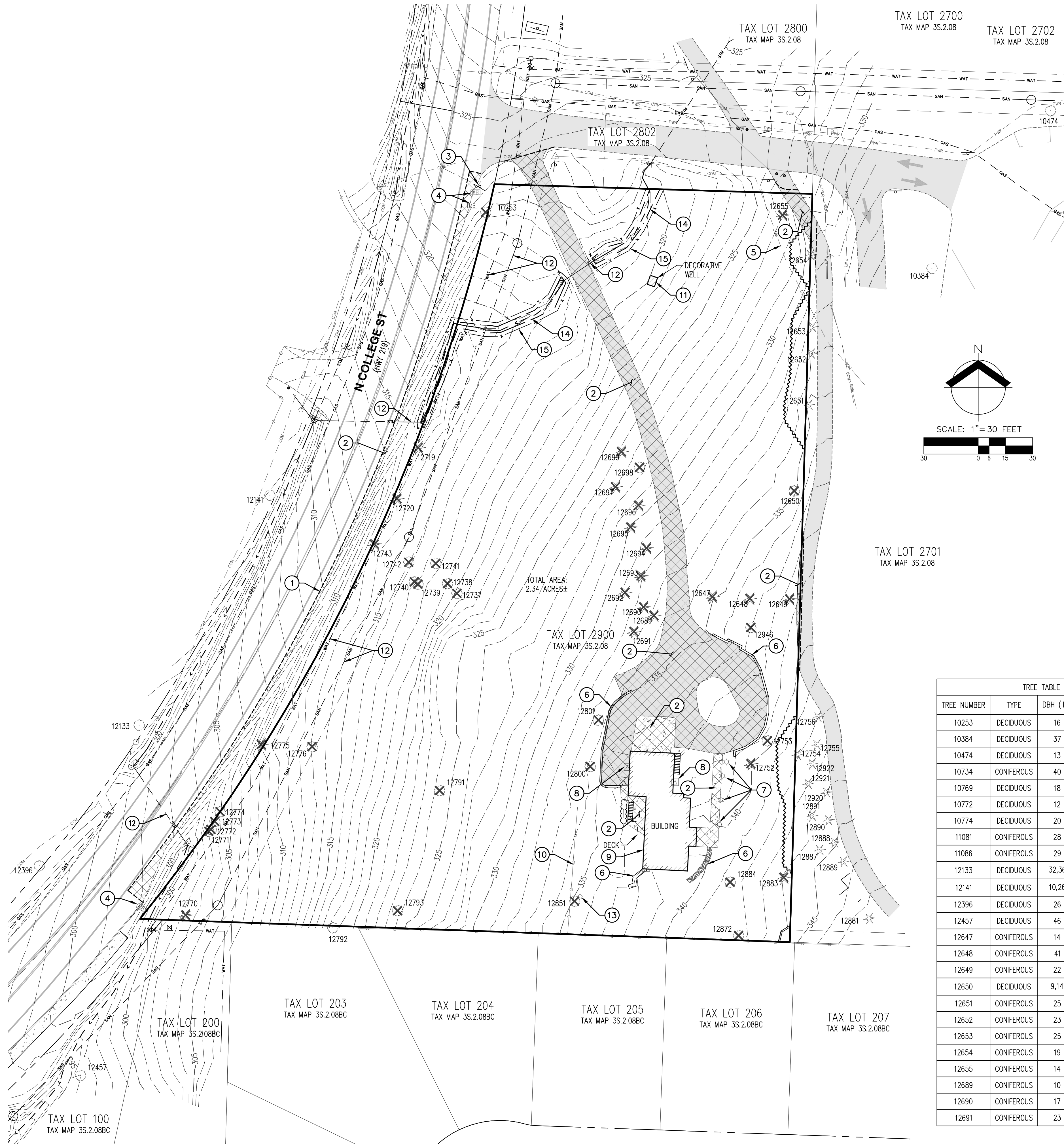
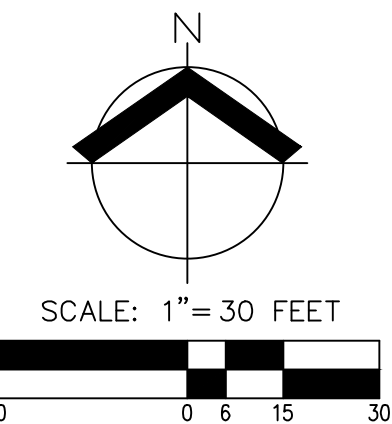
RENEWAL DATE: 6/30/22

JOB NUMBER: 4612  
 DATE: 10/15/2021  
 DESIGNED BY: CH  
 DRAWN BY: CH  
 CHECKED BY: PAS

### LEGEND

EXISTING GROUND CONTOUR (1 FT)	
EXISTING GROUND CONTOUR (5 FT)	
AC SAWCUT	
EXISTING ASPHALT	
AC/CONCRETE TO BE REMOVED	
TREES TO BE PRESERVED	
TREES TO BE REMOVED	
TREE PROTECTION FENCE	
SEDIMENT FENCE	

- KEYED NOTES:** #
- SAWCUT EXISTING PAVEMENT.
  - REMOVE EXISTING PAVEMENT/CONCRETE AND DISPOSE OF.
  - MAILBOX SIGN TO BE SALVAGED AND REINSTALLED POST IMPROVEMENTS.
  - MAILBOX TO BE SALVAGED AND REINSTALLED POST IMPROVEMENTS. MAINTAIN USPS SERVICE THROUGH CONSTRUCTION.
  - NEIGHBOR COMMUNICATION LINE TO BE RELOCATED ONTO ADJACENT PROPERTY. CONTRACTOR TO COORDINATE WORK WITH UTILITY PROVIDER AND DEVELOPER.
  - RETAINING WALL TO BE REMOVED AND HAUL OFF FOR DISPOSAL.
  - REMOVE LIGHT AND HAUL OFF FOR DISPOSAL. CONTRACTOR TO COORDINATE WORK WITH POWER UTILITY PROVIDER.
  - REMOVE HOUSE POWER STRUCTURE AND HAUL OFF FOR DISPOSAL. CONTRACTOR TO COORDINATE WORK WITH POWER UTILITY PROVIDER.
  - REMOVE BUILDING/STRUCTURE AND HAUL OFF FOR DISPOSAL.
  - REMOVE FENCE AND HAUL OFF FOR DISPOSAL.
  - WELL TO BE ABANDONED PER APPLICABLE LOCAL AND STATE REQUIREMENTS. CONTRACTOR TO PROVIDE COPY OF ABANDONMENT PAPERWORK SUBMITTED TO THE CITY/STATE TO ENGINEER.
  - PUBLIC UTILITY TO BE PROTECTED AT ALL TIMES DURING CONSTRUCTION.
  - REMOVE HOUSE COMMUNICATION STRUCTURE AND LINE. CONTRACTOR TO COORDINATE WORK WITH UTILITY PROVIDER.
  - WATERS OF THE STATE BOUNDARY. WATERS TO BE PROTECTED AT ALL TIMES DURING CONSTRUCTION.
  - SEDIMENT FENCE TO BE INSTALLED PRIOR TO DEMOLITION AND GRADING.



TREE TABLE			
TREE NUMBER	TYPE	DBH (IN.)	PRESERVE/REMOVE
10253	DECIDUOUS	16	REMOVE
10384	DECIDUOUS	37	PRESERVE
10474	DECIDUOUS	13	PRESERVE
10734	CONIFEROUS	40	PRESERVE
10769	DECIDUOUS	18	PRESERVE
10772	DECIDUOUS	12	PRESERVE
10774	DECIDUOUS	20	PRESERVE
11081	CONIFEROUS	28	PRESERVE
11086	CONIFEROUS	29	PRESERVE
12133	DECIDUOUS	32,36	PRESERVE
12141	DECIDUOUS	10,26	PRESERVE
12396	DECIDUOUS	26	PRESERVE
12457	DECIDUOUS	46	PRESERVE
12647	CONIFEROUS	14	REMOVE
12648	CONIFEROUS	41	REMOVE
12649	CONIFEROUS	22	REMOVE
12650	DECIDUOUS	9,14	REMOVE
12651	CONIFEROUS	25	PRESERVE
12652	CONIFEROUS	23	PRESERVE
12653	CONIFEROUS	25	PRESERVE
12654	CONIFEROUS	19	PRESERVE
12655	CONIFEROUS	14	REMOVE
12689	CONIFEROUS	10	REMOVE
12690	CONIFEROUS	17	REMOVE
12691	CONIFEROUS	23	REMOVE

TREE TABLE			
TREE NUMBER	TYPE	DBH (IN.)	PRESERVE/REMOVE
12692	CONIFEROUS	20	REMOVE
12693	CONIFEROUS	21	REMOVE
12694	CONIFEROUS	22	REMOVE
12695	CONIFEROUS	24	REMOVE
12696	CONIFEROUS	22	REMOVE
12697	CONIFEROUS	9	REMOVE
12698	DECIDUOUS	9	REMOVE
12699	CONIFEROUS	20	REMOVE
12719	CONIFEROUS	23	REMOVE
12720	CONIFEROUS	26	REMOVE
12737	DECIDUOUS	20	REMOVE
12738	DECIDUOUS	9	REMOVE
12739	DECIDUOUS	9	REMOVE
12740	DECIDUOUS	7	REMOVE
12741	DECIDUOUS	11,13	REMOVE
12742	DECIDUOUS	9,12,12	REMOVE
12743	CONIFEROUS	14	REMOVE
12752	CONIFEROUS	11	REMOVE
12753	DECIDUOUS	7	REMOVE
12754	CONIFEROUS	22	PRESERVE
12755	CONIFEROUS	19	PRESERVE
12756	CONIFEROUS	19	PRESERVE
12770	CONIFEROUS	20	REMOVE
12771	DECIDUOUS	10	REMOVE
12772	DECIDUOUS	7,7	REMOVE

TREE TABLE			
TREE NUMBER	TYPE	DBH (IN.)	PRESERVE/REMOVE
12773	DECIDUOUS	7	REMOVE
12774	DECIDUOUS	13	REMOVE
12775	CONIFEROUS	12	REMOVE
12776	DECIDUOUS	12	REMOVE
12791	DECIDUOUS	10	REMOVE
12792	DECIDUOUS	7,8	PRESERVE
12793	DECIDUOUS	23	REMOVE
12800	DECIDUOUS	29	REMOVE
12801	DECIDUOUS	10	REMOVE
12851	DECIDUOUS	20	REMOVE
12872	DECIDUOUS	9	REMOVE
12881	CONIFEROUS	46	PRESERVE
12883	CONIFEROUS	31	REMOVE
12884	DECIDUOUS	12	REMOVE
12887	CONIFEROUS	17	PRESERVE
12888	CONIFEROUS	9	PRESERVE
12889	CONIFEROUS	30	PRESERVE
12890	CONIFEROUS	16	PRESERVE
12891	CONIFEROUS	29	PRESERVE
12920	CONIFEROUS	18	PRESERVE
12921	CONIFEROUS	16	PRESERVE
12922	CONIFEROUS	10,10	PRESERVE
12946	DECIDUOUS	6	REMOVE



**LEGEND**

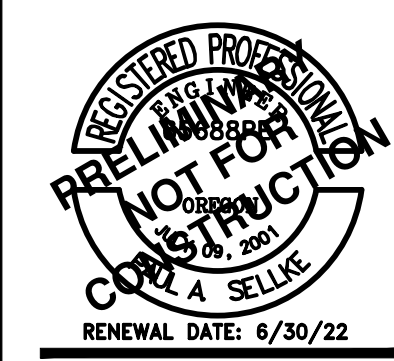
MINOR ARTERIAL	
MAJOR COLLECTOR	
LOCAL ROAD	
LOCAL ROAD (FUTURE)	
PROJECT BOUNDARY	

N

SCALE: 1"=150 FEET

ORIGINAL PAGE SIZE: 22" x 34"

**NEIGHBORHOOD CIRCULATION PLAN  
ROURKE DEVELOPMENT SUBDIVISION  
ROURKE DEVELOPMENT  
NEWBERG, OREGON**



RENEWAL DATE: 6/30/22

JOB NUMBER: 4612

DATE: 10/15/2021

DESIGNED BY: CH

DRAWN BY: CH

CHECKED BY: PAS

## **Exhibit B: Application Forms and Checklists**

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# TYPE II APPLICATION – LAND USE

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'S CONSULTANT: AKS Engineering & Forestry, LLC - Glen Southerland, AICP  
 ADDRESS: 12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
 EMAIL ADDRESS: SoutherlandG@aks-eng.com  
 PHONE: (503) 563-6151 MOBILE: N/A FAX: (503) 563-6152  
 OWNER/APPLICANT: Bill Rourke PHONE: Please contact Applicant's Consultant  
 ADDRESS: 1201 Fulton Street, No 13, Newberg, OR 97132  
 ENGINEER/SURVEYOR: AKS Engineering & Forestry - Paul Sellke, PE PHONE: (503) 563-6151  
 ADDRESS: 12965 SW Herman Road, Suite 100, Tualatin, OR 97062

**GENERAL INFORMATION:**

PROJECT NAME: Rourke Development PROJECT LOCATION: 4016 N College Street  
 PROJECT DESCRIPTION/USE: 12-lot Subdivision for single-family residences PROJECT VALUATION: \_\_\_\_\_  
 MAP/TAX LOT NO. (i.e.3200AB-400): 3 2 08 Tax Lot 2900 ZONE: R-1 SITE SIZE: ±2.34 SQ. FT.  ACRE   
 COMP PLAN DESIGNATION: Low Density Residential TOPOGRAPHY: Generally flat  
 CURRENT USE: One single-family detached residence & outbuilding  
 SURROUNDING USES:  
 NORTH: Institutional Zone, Churches SOUTH: R-1/Specific Plan, Single-family residential  
 EAST: Institutional Zone, Churches WEST: LDR, Single-family residential

**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 Review .....p. 12
- Partition Tentative Plat .....p. 14
- Subdivision Tentative Plat .....p. 17
- Variance Checklist .....p. 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.

[Signature] 10-5-21  
 Applicant Signature Date  
J Wm. Rourke Jr  
 Print Name

[Signature] 10-5-21  
 Owner Signature Date  
J Wm. Rourke Jr  
 Print Name

## **GENERAL INFORMATION**

### **Type II Development Permit Process**

**Overview:** Type II Permit applications are reviewed administratively using a process in which City staff apply clear and objective standards that do not allow limited discretion. Notice is provided to property owners within 500 ft of the site so that they may provide input into the process. The noticing comment period is limited to 14 days in which written comments may be filed. The applicant or any person that comments in writing is able to appeal the staff decision to the Planning Commission. During the 14 day notice period, anyone may request that a Type II Subdivision decision be converted to a Type III process and that a hearing be held before the Planning Commission. Type II Decisions may take from 30 to 120 days.

#### **Type II Permits Include:**

- Design review for commercial, industrial and multi-family projects
- Manufactured home parks and mobile home parks.
- Partitions
- Subdivisions except those meeting the criteria in NDC § 15.235.030(A)
- Variances

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#### **Pre-Application Conference:**

Please call to schedule a time for a pre-application meeting (optional) prior to submitting an application. The (Development Review Meetings) or pre-application meetings are held every Wednesday. This meeting provides the opportunity to get advance information from Planning, Engineering, and Building divisions all at once. It is likely to save you time and effort later. The non-refundable pre-application conference fee is \$105, payable prior to the conference.

#### **Submit Type II Application**

- ◆ Pay fees
- ◆ Complete application form(s)
- ◆ Submit plans and other required information

#### **Processing**

- ◆ Staff will perform a completeness check of the application and notify applicant of any information that is missing or incomplete. Processing time 0 to 30 days.
- ◆ Staff will route the application to affected agencies and City departments Processing time 14 to 20 days
- ◆ Applicant will provide copies of mailed and posted notices to the City for review, mail the approved notice to property owners within 500 ft. of the site, post the site, and provide staff with an affidavit verifying that the notice was mailed and posted. Processing Time: 14 to 20 days.
- ◆ Subdivision Conversion to Type III Review. During the 14 day comment period, anyone may request that a subdivision application be converted to a Type III review process. If this occurs, the subdivision will be reviewed by the Planning Commission at their next available meeting. Processing Time: 30 to 60 days.
- ◆ If all comments are addressed and no changes are required, then an approval letter is sent to the applicant and those providing comment. Processing Time: 14 to 20 days.

## **GENERAL INFORMATION**

### **Type II Development Permit Process**

#### **Appeals**

If the applicant, or another party providing written comments within the noticing period, is dissatisfied with the decision; then an appeal must be filed within 14 calendar days of the issuance of the decision. Appeals of Type II decisions proceed to the Planning Commission and are processed as a Type III decision.

#### **Partition and Subdivision Plats**

The applicant must submit final improvement plans and a final partition or subdivision plat within two years of the date of preliminary plat approval. Final plats are processed under a Type I decision.

#### **Building Permits**

The applicant may submit building permit applications concurrently with submission of other development applications; however, no building permits will be issued until the appeal period has expired on pending development applications

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#### **Helpful Hints:**

##### **Questions?**

Information is free! Please do not hesitate to call (503) 537-1240 prior to submitting the application.

##### **Partial Applications**

Please do not submit partial applications. If the application, plans, and fee are not submitted together; processing will be delayed and the application may not be accepted for review.

##### **Face-to-Face**

It is best to submit an application in person. That way you can receive immediate feedback if there is missing information or suggestions for improvements.

# NEWBERG PERMIT CENTER FEE SCHEDULE Effective Date: April 1, 2021

**5% Technology fee will be added to total fees (resolution No. 2016-3268)**

<b>PRE-APPLICATION REVIEW</b> .....	\$100
<b>TYPE I (ADMINISTRATIVE REVIEW)</b>	
ANY TYPE I ACTION NOT SPECIFICALLY LISTED IN THIS SECTION .....	\$182
PROPERTY CONSOLIDATION .....	\$182
CODE ADJUSTMENT .....	\$455
DESIGN REVIEW - TYPE I (DUPLIX OR COM. /IND. MINOR ADDITION REVIEW) .....	0.3% OF PROJECT VALUE, \$455 MINIMUM
MINOR MODIFICATION OR EXTENSION OF TYPE I DECISION .....	\$182
MAJOR MODIFICATION OF TYPE I DECISION .....	50% OF ORIGINAL FEE
PARTITION FINAL PLAT .....	\$913 + \$80 PER PARCEL
PROPERTY LINE ADJUSTMENT .....	\$913
SIGN REVIEW .....	\$10 PLUS \$1.00 PER SQ. FT. OF SIGN FACE
SUBDIVISION, PUD, OR CONDOMINIUM FINAL PLAT .....	\$1830 + \$80 PER LOT OR UNIT
<b>TYPE II (LAND USE DECISION)</b>	
ANY TYPE II ACTION NOT SPECIFICALLY LISTED IN THIS SECTION .....	\$913
MINOR MODIFICATION OR EXTENSION OF TYPE II DECISION .....	\$182
MAJOR MODIFICATION OF TYPE II DECISION .....	50% OF ORIGINAL FEE
DESIGN REVIEW (INCLUDING MOBILE/MANUFACTURED HOME PARKS) .....	0.6% OF TOTAL PROJECT COST, \$913 MINIMUM*
PARTITION PRELIMINARY PLAT .....	\$913 PLUS \$80 PER PARCEL
<b>SUBDIVISION PRELIMINARY PLAT .....</b>	<b>\$1830 PLUS \$80 PER LOT</b>
VARIANCE .....	\$913
<b>TYPE III (QUASI-JUDICIAL REVIEW)</b>	
ANY TYPE III ACTION NOT SPECIFICALLY LISTED IN THIS SECTION .....	\$1939
ANNEXATION .....	\$2549 PLUS \$244 PER ACRE
COMPREHENSIVE PLAN AMENDMENT (SITE SPECIFIC) .....	\$2389
CONDITIONAL USE PERMIT .....	\$1939
MINOR MODIFICATION OR EXTENSION OF TYPE III DECISION .....	\$182
MAJOR MODIFICATION OF TYPE III DECISION .....	50% OF ORIGINAL FEE
HISTORIC LANDMARK ESTABLISHMENT OR MODIFICATION .....	\$0
HISTORIC LANDMARK ELIMINATION .....	\$2223
SUBDIVISION PRELIMINARY PLAT .....	\$1830 PLUS \$80 PER LOT
PLANNED UNIT DEVELOPMENT .....	\$3872+\$80 PER LOT OR UNIT
ZONING AMENDMENT (SITE SPECIFIC) .....	\$2415
<b>TYPE IV (LEGISLATIVE AMENDMENTS)</b>	
COMPREHENSIVE PLAN TEXT AMENDMENT OR LARGE SCALE MAP REVISION .....	\$2747
DEVELOPMENT CODE TEXT AMENDMENT OR LARGE SCALE MAP REVISION .....	\$2747
<b>APPEALS</b>	
TYPE I OR II APPEAL TO PLANNING COMMISSION .....	\$524
TYPE I OR II APPEAL TO CITY COUNCIL .....	\$950
TYPE III APPEAL TO CITY COUNCIL .....	\$1115
TYPE I ADJUSTMENTS OR TYPE II VARIANCES (THAT ARE NOT DESIGNED TO REGULATE THE PHYSICAL CHARACTERISTICS OF A USE PERMITTED OUTRIGHT) .....	\$294
EXHIBITOR LICENSE FEE APPEAL TO THE CITY COUNCI .....	50% OF EXHIBITOR LICENSE FEE
<b>OTHER FEES</b>	
<b>TECHNOLOGY FEE (This fee will be added to all Planning, Engineering and Building Fees, does not apply to SDC fees) 5% OF TOTAL</b>	
EXPEDITED LAND DIVISION .....	\$6803 + \$80 PER LOT OR UNIT
URBAN GROWTH BOUNDARY AMENDMENT .....	\$4348
VACATION OF PUBLIC RIGHT-OF-WAY .....	\$1804
FEE-IN-LIEU OF PARKING PROGRAM .....	\$13,780 PER VEHICLE SPACE
BIKE RACK COST SHARING PROGRAM .....	\$100 PER RACK
<b>LICENSE FEES</b>	
GENERAL BUSINESS .....	\$50
HOME OCCUPATION .....	\$25
PEDDLER/SOLICITOR/STREET VENDOR .....	No fee (Business License fee only)
EXHIBITOR .....	\$134
TEMPORARY MERCHANT .....	\$109/45 days or \$361/perpetual

## ADDITIONAL LAND USE REVIEW FEES - ENGINEERING DEPARTMENT

**Planning Review, Partition, Subdivision & PUD's (Type 11/111 Application) - \$296.71 - 19 lots, Plus \$13.90 per lot over 19 lots**

Final Plat Review, Partition and subdivision .....\$296.71 Plus .....\$7.45 per lot or parcel

Development review for public improvements on Commercial, Industrial, Multifamily Developments & Institutional zones  
**\$414.95 1st Acre \$237.02 Additional acre**

ADOPTION AND REVISION HISTORY:  
 Adopted by: Resolution 98-2122, July 6, 1998  
 Amended by: Resolution 99-2214, December 8, 1999  
 Resolution 2000-2265, October 2, 2000  
 Resolution 2001-2318, November 19, 2001  
 Executive Order January 2, 2007 (Reso. 99-2210)  
 Executive Order October 24, 2008  
 Executive Order, December 16, 2002 pursuant to Resolution 99-2210

Executive Order, January 22, 2002 pursuant to Resolution 99-2210  
 Resolution 2004-2466, November 3, 2003  
 Resolution 2007-2752, December 3, 2007  
 Executive Order November 29, 2011(2011-32)  
 Executive Order October 24, 2012(2012-34)  
 Resolution 2014-3140, May 19, 2014  
 Executive Order April 1, 2015 (2015-42)  
 Resolution 2016-3268, April 18, 2016

Resolution 2017-3361 March 2017  
 Resolution 2018-3443 March 2018  
 Resolution 2019-3539 March 2019  
 Resolution 2020-3646 March 2020  
 Resolution 2021-3722 March 2021

## § 15.235.050 - TYPE II LAND DIVISION CRITERIA

### DEFINITIONS:

**PARTITION:** To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year.

**SUBDIVISION:** To divide an area or tract of land into four or more lots within a calendar year when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.

**FINAL PLAT:** A Final plat and other writing containing all the descriptions, locations, specifications, dedications, provisions and information concerning a subdivision.

### 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.

B. Property line adjustments and lot consolidation requests (i.e., no new lot is created) are subject to Chapter 15.230 NMC; they are not subject to this section.

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

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.

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.

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.

### PROVIDE A WRITTEN RESPONSE THAT SPECIFIES HOW YOUR PROJECT MEETS THE FOLLOWING CRITERIA:

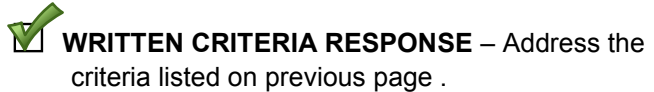
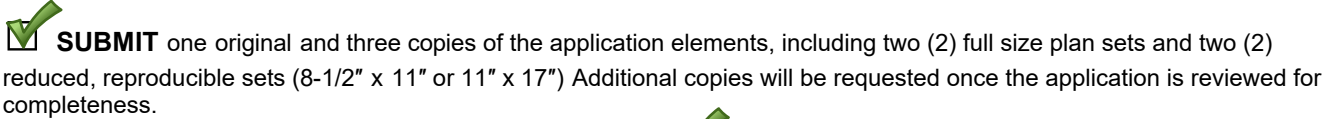
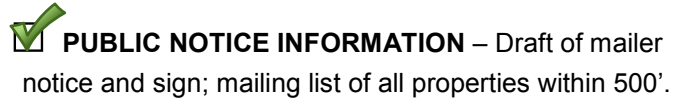
A. Approval Criteria. By means of a Type II procedure for a partition, or a Type II or III procedure for a subdivision per NMC 15.235.030(A), the applicable review body shall approve, approve with conditions, or deny an application for a preliminary plat. The decision shall be based on findings of compliance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

1. The land division application shall conform to the requirements of this chapter;
2. All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of NMC Division 15.400, Development Standards;
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;
4. The proposed plat name is not already recorded for another subdivision, and satisfies the provisions of ORS Chapter 92;
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;

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

## LAND DIVISION TENTATIVE PLAN CHECKLIST

The following information shall be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division staff regarding additional requirements for your project.



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.”

### 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.

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.



N/A

- CC&Rs:** Include a copy of any proposed codes, covenants and restrictions (CC&Rs) which will apply to the project. **CC&Rs, if proposed, will be submitted with application for Final Subdivision Plat.**

**TRAFFIC ANALYSIS**

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 characteristic could affect the 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 other applicable roadway authority.

**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 and mitigation or improvements necessary to the public facilities to adequately serve the development per city standards under adopted ordinances and master plans.

**STORMWATER ANALYSIS**

The stormwater analysis shall address the criteria listed in Chapter 13.25 NMC

**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.

N/A

**WETLAND DELINEATION**

A wetland delineation approved by the Oregon Department of State Lands (DSL) shall be submitted for any property listed on the National wetlands Inventory (NWI) or that is located within the city's mapped stream corridor.

Additional material requested during the Pre-Application Conference regarding nullification of advance financing agreements with Veritas School (dated March 24, 2017) are included within Exhibit D: Ownership Information - Newberg City Council Resolution No. 2017-3357 Exhibit A and Exhibit C, Appendix F.

Fire flow testing of nearby water services will be provided upon completion.

## **Exhibit C: Yamhill County Assessor's Map**

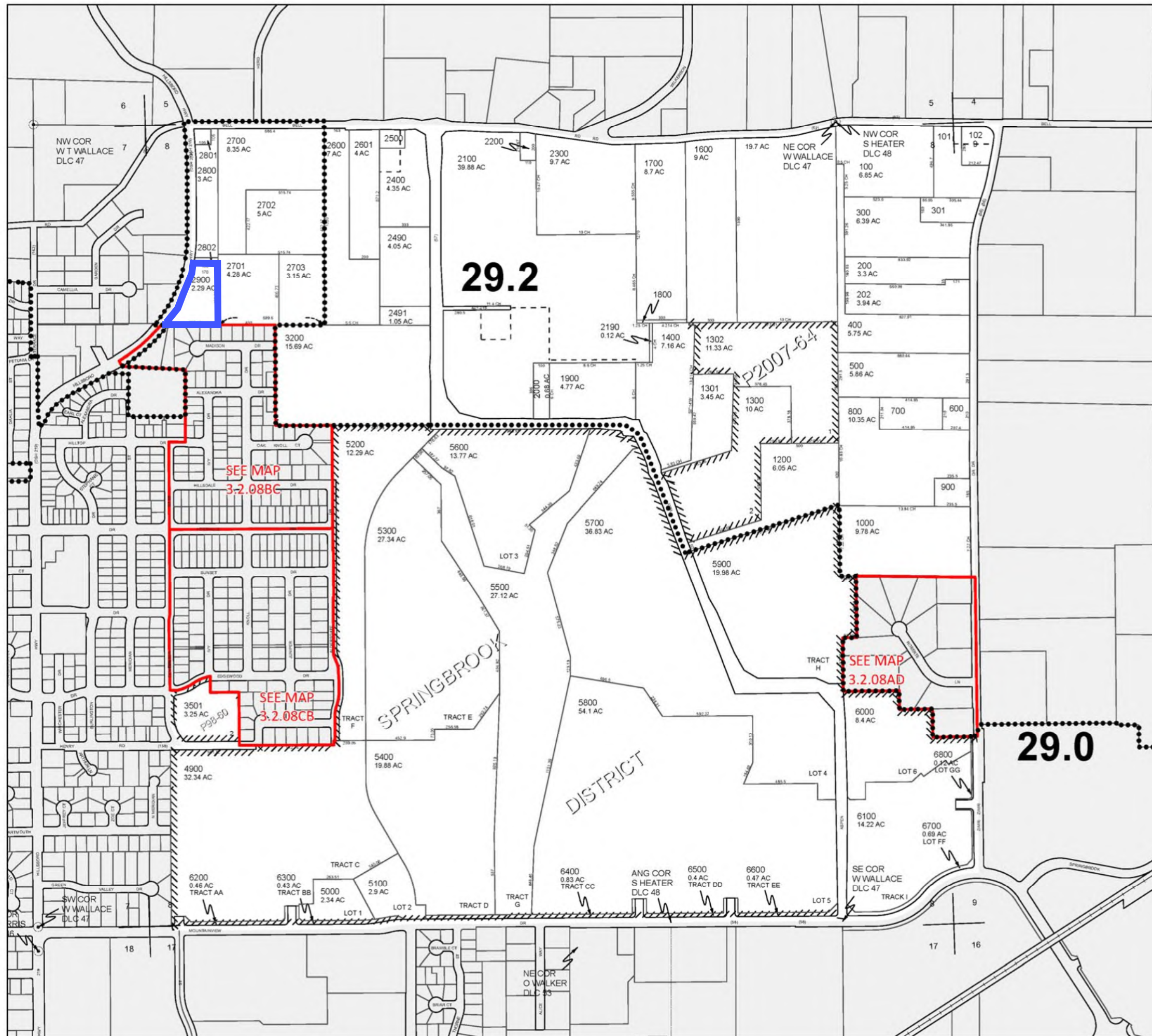
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ASSESSMENT & TAX  
CARTOGRAPHY

SECTION 8 T.3S. R.2W. W.M.  
YAMHILL COUNTY OREGON  
1" = 400'



- CANCELLED TAXLOTS:
- 4800
  - 4700
  - 4600
  - 4500
  - 4401
  - 4400
  - 4300
  - 4200
  - 4101
  - 4100
  - 4000
  - 3900
  - 3800
  - 3700
  - 3601
  - 3600
  - 3504
  - 3503
  - 3502
  - 3400
  - 3300
  - 3100
  - 3001
  - 3000
  - 1100
  - 201

DATE PRINTED: 6/24/2019

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.

## **Exhibit D: Ownership Information**

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**First American**

**First American Title Insurance Company**

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

Supplemental  
**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:

AKS Engineering & Forestry LLC  
12965 SW Herman Road, Suite 100  
Tualatin, OR 97062  
Phone: (503)925-8799  
Fax: (503)925-8969

Date Prepared : September 30, 2021  
Effective Date : 8:00 A.M on September 28, 2021  
Order No. : 1039-3445142  
Subdivision : N COLLEGE STREET

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)**

Beginning at an iron pipe at the East boundary of Hillsboro-Silverton Highway, said point being South 00° 02½' East 1320.0 feet and East parallel to the North boundary of Section 8, a distance of 869.85 feet from the Northwest corner of William T. Wallace Donation Land Claim, Township 3 South, Range 2 West of the Willamette Meridian, Yamhill County, Oregon; thence East parallel to the North boundary of Section 8, a distance of 355.13 feet to an iron pipe; thence North 00° 02½' West parallel to the West boundary of Donation Land Claim, 405.73 feet; thence West parallel with South boundary, distance of 178 feet, more or less, to the East boundary of State Highway; thence Southwesterly along State Highway, a distance of 447 feet, more or less, to the place of beginning.

ALSO a non-exclusive easement for roadway purposes over a strip of land described as follows:

Beginning at the most Northwest corner of the above described tract; thence East 60 feet; thence North 00° 02½' West 60 feet; thence West 50 feet, more or less, to the Easterly boundary of Hillsboro-Silverton Highway; thence Southwesterly along the Easterly boundary of said Highway, 60 feet, more or less, to the place of beginning.

Map No.: R3208 02900  
Tax Account No: APN 25859

**EXHIBIT "B"**  
**(Vesting)**

J. William Rourke, Jr.

**EXHIBIT "C"**  
**(Liens and Encumbrances)**

1. Taxes for the fiscal year 2021-2022 a lien due, but not yet payable.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
3. Easement, including terms and provisions contained therein:  
Recording Information: September 24, 2013 as Instrument No. 201315147  
In Favor of: The City of Newberg, a municipal corporation  
For: Public Sanitary Sewer and Public Waterline
4. Unrecorded leases or periodic tenancies, if any.

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$4,569.77
Map No.:	R3208 02900
Property ID:	25859
Tax Code No.:	29.2



## 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.

KNOW ALL MEN BY THESE PRESENTS, That ELMER L. BLOMBERG and HILMA C. BLOMBERG, his wife, hereinafter called the grantor, for ~~valuable~~ consideration ~~to be hereinafter stated~~ to grantor paid by J. WILLIAM ROURKE, JR., PAUL STRAIT, and AL LEHMAN

does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill and State of Oregon, described as follows, to-wit:

PARCEL 1: A tract of land in the William T. Wallace Donation Land Claim #47 in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning at a point on the Easterly margin of State Secondary Highway #219 (Hillsboro-Silverton Highway) 1320 feet South and 869.85 feet East of the Northwest corner of said Donation Land Claim; thence East 355.13 feet to the true point of beginning, said point also being the Southeast corner of that certain tract of land conveyed to Harlin M. Huffman, et ux, by deed recorded September 18, 1968 in Film Volume 72, Page 644, Deed and Mortgage Records; thence East parallel to the North line of Section 8, a distance of 400 feet; thence North 00°02 1/2' West 465.73 feet; thence West 580 feet, more or less, to the Easterly margin of said highway; thence Southwesterly along said Easterly margin, 60 feet, more or less, to the Northwest corner of said Huffman Tract; thence East along the North line of said Huffman tract, 178 feet to the Northeast corner thereof; thence South 00°02 1/2' East along the East line of said Huffman tract, 405.73 feet to the true place of beginning.

PARCEL 2: A tract of land in the William T. Wallace Donation Land Claim #47 in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning 64.60 rods East of the Northwest corner of the William T. Wallace Donation Land Claim in said Section, Township and Range; thence East 105 feet; thence South 105 feet; thence West 105 feet; thence North 105 feet to the place of beginning.

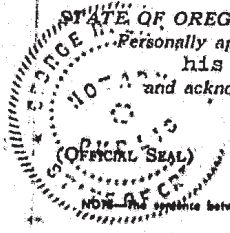
ful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances. ~~The true and correct consideration paid for this tract of land is as follows: \$XXXXXXX~~ ~~How ever, the actual consideration consists of or includes other property of value to be stated in the deed which is subject to consideration (indeed where)~~

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 24 day of April, 1972.

*Al Lehman*

*Elmer L. Blomberg*  
*Hilma C. Blomberg*



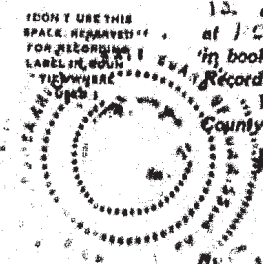
STATE OF OREGON, County of Yamhill ) ss. ELMER L. BLOMBERG and HILMA C. BLOMBERG, his wife, April 24, 1972.

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: *George H. Layman*  
Notary Public for Oregon  
My commission expires Oct 7-1972

**WARRANTY DEED**  
ELMER L. BLOMBERG, et ux  
TO  
J. WILLIAM ROURKE, et al  
AFTER RECORDING RETURN TO  
GEORGE H. LAYMAN  
Attorney at Law  
P. O. Box 68  
Newberg, Oregon 97132

STATE OF OREGON, ) ss.  
County of Yamhill  
15264  
I certify that the within instrument was received for record on the 12 day of May, 1972 at 1:00 o'clock P.M., and recorded in book 89 on page 701. Record of Deeds of said County.  
Witness my hand and seal of County affixed.  
Jack Becker, County Clerk



Title.  
Deputy

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances as of May 23, 1970, and free from all encumbrances since said date placed, permitted or arising by, through or under the grantors.

This transfer does not constitute a separate sale of real property, but is intended to release a portion of property covered by contract dated May 23, 1970. The true and lawful consideration in dollars for this release is none, with all payments on said contract having been credited against the entire property purchased.

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

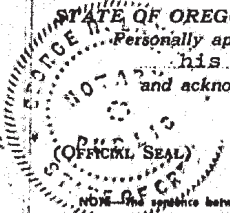
~~The true and lawful consideration paid for this transfer was \$XXXXXXXXXXXX. However, the actual consideration consists of no money or other property of value given or received, which is hereby acknowledged.~~

In construing this deed and where the context so requires, the singular includes the plural. WITNESS grantor's hand this 24 day of April, 1972.

*Elmer L. Blomberg*

*Elmer L. Blomberg*  
*Hilma C. Blomberg*

STATE OF OREGON, County of Yamhill ) ss. April 24, 1972  
Personally appeared the above named ELMER L. BLOMBERG and HILMA C. BLOMBERG, his wife, and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: *Ray W. Layman*  
Notary Public for Oregon  
My commission expires Oct 7-1972

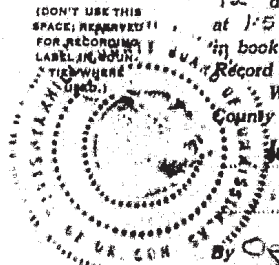
NOTE - The space between the symbols @, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED  
ELMER L. BLOMBERG, et ux

TO  
J. WILLIAM ROURKE, et al

AFTER RECORDING RETURN TO  
GEORGE H. LAYMAN  
Attorney at Law  
P. O. Box 68  
Newberg, Oregon 97132

STATE OF OREGON, } ss.  
15264  
County of Yamhill }  
I certify that the within instrument was received for record on the 12 day of May, 1972 at 1:55 o'clock P.M., and recorded in book 57 on page 264. Record of Deeds of said County.  
Witness my hand and seal of County attixed.  
Jack Beeler, County Clerk  
Title.  
By *Opal H. Hart* Deputy.



633

1967

KNOW ALL MEN BY THESE PRESENTS, That RUBY F. STANLEY, widow of E. B. Stanley and a single person, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto ELMER L. BLOMBERG and HILMA C. BLOMBERG, husband and wife, hereinafter called grantees, and unto grantees' heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Yamhill, State of Oregon, described as follows, to-wit:

---PARCEL 1: Part of the William T. Wallace D.L.C. #47, in Sections 7 and 8, T 3 S, R 2 W, W.M. in Yamhill County, Oregon, described as follows:

BEGINNING at a point 80 rods S and 116 rods E of the NW corner of said Wallace D. L. C., said point being situated on the N line of a certain tract of land conveyed to Lloyd A. Petrie and wife by deed recorded Nov. 1, 1950 in Book 159, Page 465, Deed Records, said point also being the SW corner of a certain tract of land conveyed to Earl E. Walker and wife by deed recorded March 16, 1954, in Book 172, Page 579, Deed Records; thence N 80 rods along the W line of said Walker tract; thence W 41.60 rods to the NE corner of a certain tract of land conveyed to J. H. Peters and wife by deed recorded Dec. 24, 1924, in Book 91, Page 291, Deed Records; thence S 80 rods along the E line of said Peters tract to the SE corner of said Peters tract; thence E 42.40 rods to the place of beginning.

PARCEL 2: Being part of the William T. Wallace D.L.C. #47, Notification #1477, in Sections 7 and 8, T 3 S, R 2 W of the W.M., Yamhill County, Oregon, the beginning point for land conveyed being 80 rods S and 64.60 rods E of the NW corner of said William T. Wallace D.L.C.; thence E 10 rods; thence N 80 rods; thence W 10 rods; thence S 80 rods to the place of beginning.

EXCEPTING THEREFROM the tract conveyed to Harlin M. Huffman and wife by deed recorded Sept. 18, 1968 in Film Volume 72, Page 644, Deed and Mortgage Records, Yamhill County, Oregon.

SUBJECT TO rights of the public in streets, roads and highways.  
SUBJECT TO a non-exclusive right of way from E. B. Stanley et ux and Elmer L. Blomberg et ux to Harlin M. Huffman et ux recorded in Film Volume 72, Page 644, on Sept. 18, 1968, Deed and Mortgage Records.---

To Have and to Hold the same unto the said grantee and grantees' heirs, successors and assigns forever.  
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 9,920.23

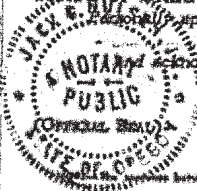
~~None of the above consideration consists of or includes any debt or obligation of the grantor to the grantee or grantees or to any person.~~

In construing this deed the singular includes the plural as the circumstances may require.

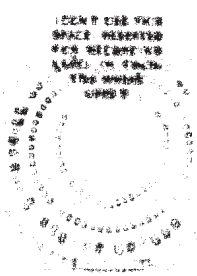
Witness grantor's hand this 2nd day of Feb., 1971.

*Ruby F. Stanley*

STATE OF OREGON, County of Yamhill ) ss. 2/2, 1971.  
I, JACK E. BOLOCA, Notary Public for Oregon, do hereby certify that the above named Ruby F. Stanley appeared before me and acknowledged the foregoing instrument to be Her voluntary act and deed.  
Witness my hand and seal this 27th day of February, 1971.  
My commission expires 7/1/74



Bargain and Sale Deed		7117	STATE OF OREGON,
Ruby F. Stanley			County of <u>Yamhill</u>
TO			I certify that the within instrument was received for record on the
Elmer L. Blomberg			day of <u>February</u> , 19 <u>71</u> ,
Hilma C. Blomberg			at <u>12:22</u> o'clock <u>PM</u> , and recorded
AFTER RECORD, NO RETURN TO			in Book <u>72</u> on page <u>644</u>
		WITNESS my hand and seal of	County aforesaid.
		<i>Jack E. Boloca</i>	
		By <u>Sam Gray</u> Deputy	



THIS CONTRACT Made the 23rd day of May 1970 between ELMER L. BLOMBERG and HILMA C. BLOMBERG and E. B. STANLEY and RUBY F. STANLEY, of the County of Yamhill and State of Oregon, hereinafter called the first party, and J. WILLIAM ROURKE, JR., PAUL STRAIT, and AL LEHMAN of the County of Yamhill and State of Oregon hereinafter called the second party,

WITNESSETH, That in consideration of the stipulations herein contained and the payments to be made as herein after specified, the first party hereby agree to sell, and the second party agree to purchase, the following described real estate, situate in the County of Yamhill, State of Oregon, to-wit:

---PARCEL 1: Part of the William T. Wallace D.L.C. #47, in Sections 7 and 8, Township 3 South, Range 2 West of the W.M. in Yamhill County, Oregon, described as follows:

Beginning at a point 80 rods South and 116 rods East of the NW corner of said Wallace D.L.C., said point being situated on the North line of a certain tract of land conveyed to Lloyd A. Petrie and wife by deed recorded 11-1-50 in Book 159, Page 465, Deed Records, said point also being the SW corner of a certain tract of land conveyed to Earl F. Walker and wife by deed recorded March 16, 1954 in Book 172, Page 579, Deed Records; thence N 80 rods along the W line of said Walker tract; thence West 41.60 rods to the NE corner of a certain tract of land conveyed to J.H. Peters and wife by deed recorded 12-24-24 in Book 91, Page 291, Deed Records; thence South 80 rods along the East line of said Peters tract to the SE corner of said Peters tract; thence East 42.40 rods to the place of beginning.

PARCEL 2: Being a part of the William T. Wallace D.L.C. #47, Notification #1477, in Sections 7 and 8, Township 3 South, Range 2 West of the W.M. Yamhill County, Oregon, the beginning point for land conveyed being 80 rods South and 84.60 rods East of the NW corner of said Wm. T. Wallace D.L.C.; thence East 10 rods; thence North 80 rods; thence West 10 rods; thence South 80 rods to the place of beginning.

EXCEPTING THEREFROM the tract conveyed to Harlin M. Huffman and wife by deed recorded 9-18-68 in Film Volume 72, Page 644, Deed and Mortgage Records, Yamhill County, Oregon

SUBJECT to rights of the public in streets, roads and highways.

SUBJECT to a non-exclusive right of way from E.B. Stanley, et ux and Elmer L. Blomberg, et ux to Harlin M. Huffman, et ux recorded in Film Vol. 72, Page 644, on 9-18-68, Deed and Mortgage Records.---

each month; to be paid in monthly installments of not less than \$100.00 each month; first monthly payment to commence on the 1st day of each month and a like payment on the 30th day of each month thereafter until the entire unpaid balance is paid in full.

The seller agrees to release and deed five (5) acres of the above described premises when fifty (50) per cent of the principal of the purchase price is paid to the seller.

The buyer (also called second party) warrants to and covenants with the seller that the real property described in this contract is for an organization or (even if buyer is a natural person) is for business or commercial purposes other than agricultural purposes.

Taxes for the current tax year shall be prorated between the parties hereto as of the date of this contract. The second party, in consideration of the premises, hereby agrees to pay all taxes hereafter levied and all public and municipal liens and assessments hereafter lawfully imposed upon said premises, all promptly and before the same or any part thereof become past due, that he will keep all buildings now or hereafter erected on said premises insured in favor of the first party against loss or damage by fire (with extended coverage) in an amount not less than \$ NONE

In a company or companies satisfactory to first party, and will have all policies of insurance on said premises made payable to the first party as first party's interest may appear and will deliver all policies of insurance on said premises to the first party as soon as insured. All improvements placed thereon shall remain, and shall not be removed before final payment be made for said above described premises.

In case the second party or those claiming under him, shall pay the several sums of money aforesaid, punctually and at the times above specified, and shall strictly and literally perform all and singular the agreements and stipulations aforesaid, according to the true intent and tenor thereof, then the first party shall deliver unto the order of the second party, upon the surrender of this agreement, a 2% insurance policy insuring title as of this or subsequent date and a good and sufficient deed of conveyance, conveying said premises in fee simple, free and clear of encumbrances, excepting, however, the above mentioned taxes and assessments

and all liens and encumbrances created by the second party, or second party's assigns. But in case the second party shall fail to make the payments aforesaid, or any of them, punctually and upon the strict terms and at the times above specified, or fail to keep any of the other terms or conditions of this agreement, time of payment and strict performance being declared to be of the essence of this agreement, then the first party shall have the following rights: (1) to declare this contract null and void, (2) to declare the whole unpaid principal balance of said purchase price with the interest thereon at once due and payable and/or (3) to foreclose this contract by suit in equity, and in any of such cases, all the right and interest hereby created or then existing in favor of the second party derived under this agreement, shall utterly cease and determine, and the premises aforesaid shall revert and reversion in the first party without any deduction of forfeiture or act of re-entry, or without any other act by first party to be performed and without any right of the second party of redemption or compensation for money paid or for improvements made as absolutely fully and perfectly as if this agreement had never been made.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$27,750.00

And in case suit or action is instituted to enforce this contract or to enforce any of the provisions thereof, second party agrees to pay such sum as the trial court may adjudge reasonable as attorney's fee to be allowed plaintiff in said suit or action and if an appeal is taken from any judgment or decree of such trial court, the buyer further promises to pay such sum as the appellate court shall adjudge reasonable as plaintiff's attorney's fees on such appeal.

The second party further agrees that failure by the first party at any time to require performance by the second party of any provision hereof shall in no way affect first party's right hereunder to enforce the same, nor shall any waiver by said first party of any breach of any provision hereof be held to constitute a waiver of any subsequent breach thereof or as a waiver of any provision hereof.

In construing this contract, it is understood that the first party or the second party may be more than one person, that if the contract so required, the singular person shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, said parties have executed this instrument in duplicate; if either of the undesignated is a corporation, it has caused its corporate name to be signed and its corporate seal affixed hereto by its duly authorized therunto by one of its board of directors.

Paul Strait, Hilma C. Blomberg, Elmer L. Blomberg, Ruby F. Stanley, J. William Rourke, Jr., Al Lehman

NOTE: The sentence between the symbols ( ) is not applicable, should be deleted, see Oregon Revised Statutes, Section 92 009. (Historical acknowledgment to 1970).

Subject to being and, whichever warranty (A) or (B) is not applicable if warranty (A) is applicable, beyond that time the time is defined (B): It shall be understood under the Truth-in-Lending Act and Regulation Z, unless the contract will become a first lien to finance the purchase of a dwelling in which event see Regulation Z, Part 129 of the Act.

for the sum of TWENTY SEVEN THOUSAND SEVEN HUNDRED FIFTY Dollars (\$27,750.00) on account of which SEVEN THOUSAND & NO/100 Dollars (\$ 7,000.00) is paid on the execution hereof (the receipt of which is hereby acknowledged by the first party), and the remainder to be paid to the order of the first party with interest at the rate of 8% per cent per annum from date of contract 19... on the dates and in amounts as follows: The balance of \$20,750.00 to be paid in monthly installments of not less than \$251.79 each month; first monthly payment to commence on the 30<sup>th</sup> day of June, 1970 and a like payment on the 30<sup>th</sup> day of each month thereafter until the entire unpaid balance is paid in full.

The seller agrees to release and deed five (5) acres of the above described real premises when fifty (50) per cent of the principal of the purchase price is paid to the seller.

The buyer (also called second party) warrants to and covenants with the seller that the real property described in this contract is ~~not~~ <sup>not</sup> ~~intended~~ <sup>intended</sup> for ~~buyer's personal family, household, or agricultural purposes~~ <sup>buyer's personal family, household, or agricultural purposes</sup> (B) for an organization or (even if buyer is a natural person) is for business or commercial purposes other than agricultural purposes.

Taxes for the current tax year shall be prorated between the parties hereto as of the date of this contract. The second party, in consideration of the premises, hereby agrees to pay all taxes hereafter levied and all public and municipal liens and assessments hereafter lawfully imposed upon said premises, all promptly and before the same or any part thereof become past due, that he will keep all buildings now or hereafter erected on said premises insured in favor of the first party against loss or damage by fire (with extended coverage) in an amount not less than \$ NONE in a company or companies satisfactory to first party, and will have all policies of insurance on said premises made payable to the first party as first interest shall remain, and shall not be removed before final payment be made for said above described premises.

In case the second party or those claiming under him, shall pay the several sums of money aforesaid, punctually and at the times above specified, and shall strictly and literally perform all and singular the agreements and stipulations aforesaid, according to the true intent and tenor thereof, then the first party shall deliver unto the order of the second party, upon the surrender of this agreement, a title insurance policy insuring title as of this or subsequent date and a good and sufficient deed of conveyance, conveying said premises in fee simple, free and clear of encumbrances, accepting, however, the above mentioned taxes and assessments

and all liens and encumbrances created by the second party, or second party's assigns.

But in case the second party shall fail to make the payments aforesaid, or any of them, punctually and upon the strict terms and at the times above specified, or fail to keep any of the other terms or conditions of this agreement, then the first party shall have the following rights: (1) to declare this contract null and void, (2) to declare the whole unpaid principal balance of said purchase price with the interest thereon at once due and payable and/or (3) to foreclose this contract by suit in equity, and in any of such cases, all the right and interest hereon shall revert and vest in the first party without any declaration of forfeiture or act of re-entry, or without any other act by first party to be performed and without any right of the second party of reclamation or compensation for money paid or for improvements made as absolutely fully and perfectly as if this agreement had never been made.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$27,750.00

And in case suit or action is instituted to foreclose this contract or to enforce any of the provisions thereof, second party agrees to pay such sum as the trial court may adjudge reasonable as attorney's fees to be allowed plaintiff in said suit or action and if an appeal is taken from any judgment or decree of such trial court, the buyer further promises to pay such sum as the appellate court shall adjudge reasonable as plaintiff's attorney's fees on such appeal.

The second party further agrees that failure by the first party at any time to require performance by the second party of any provision hereof shall in no way affect first party's right hereunder to enforce the same, nor shall any waiver by said first party of any breach of any provision hereof be held to be a waiver of any succeeding breach thereof or as a waiver of the provision itself.

In construing this contract, it is understood that the first party or the second party may be more than one person, that if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine and the neuter, and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, said parties have executed this instrument in duplicate; if either of the undersigned is a corporation, it has caused its corporate name to be signed and its corporate seal affixed hereto by its officers duly authorized thereunto by copy of its board of directors.

*[Handwritten signatures and names: Robert L. Blumberg, Thomas L. Blumberg, Robert L. Blumberg, Robert L. Blumberg]*

NOTE: The contract between the symbols (A) and (B) is not applicable, should be deleted, see Oregon Revised Statutes, Section 93.050. (Historical edition - Revised 1970 version)

\*Where, by using set, indicated warranty (A) or (B) is not applicable, if warranty (A) is applicable, Revised-How Form No. 1273 or similar (B) may be used for disclosure under the Truth-in-Lending Act and Regulation Z, unless the contract will become a first lien to finance the purchase of a dwelling in which event use Revised-How Form No. 1287 or similar.



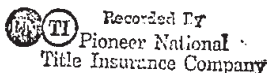
1967

KNOW ALL MEN BY THESE PRESENTS, That we, E. E. Stanley and Ruby F. Stanley, husband and wife and Elmer L. Blomberg and Hilma C. Blomberg, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Harlin M. Huffman and Edith L. Huffman, husband and wife, hereinafter called the grantee,

does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill and State of Oregon, described as follows, to-wit:

Beginning at an iron pipe at the east boundary of the Hillsboro-Silverton Highway, said point being South 00°02½' E. 1320.00 ft and east parallel to the North boundary of Section 8 a distance of 869.85 ft. from the Northwest corner of the William T. Wallace D.L.C., T. 3 S., R. 2 W., W.M.; thence east parallel to the north boundary of Section 8 a distance of 355.13 ft. to an iron pipe; thence N. 00°02½' W. parallel to the West boundary of the Donation Land Claim 405.73 ft.; thence west parallel with the south boundary a distance of 178 ft. more or less, to the East boundary of the State Highway; thence Southwesterly along the state highway a distance of 447 ft, more or less, to the point of beginning, containing 2.29 acres more or less.

ALSO: A non exclusive roadway described as follows: Beginning at the most northerly northwest corner of the above described tract; thence east 60 ft., thence N. 00°02½' W. 60 ft.; thence west 50 ft., more or less, to the east boundary of the Hillsboro-Silverton Highway; thence southwesterly along the east boundary of said highway 60 ft. more or less to the point of beginning, to be used for non-exclusive road purposes only.



To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$4,580.00

In construing this deed and where the context so requires, the singular includes the plural. WITNESS grantor's hand this 13th day of September, 1968

Handwritten signatures of E. E. Stanley, Ruby F. Stanley, Elmer L. Blomberg, and Hilma C. Blomberg.

STATE OF OREGON, County of Yamhill ) ss. September 13, 1968 Personally appeared the above named E. E. Stanley and Ruby F. Stanley, husband and wife, and Elmer L. Blomberg and Hilma C. Blomberg, husband and wife and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Edward Macarath Notary Public for Oregon My commission expires 8-26-72

NOTE: The sentence between the symbols ( ), if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED section containing: 96110 STATE OF OREGON, County of Yamhill ss. I certify that the within instrument was received for record on the 18th day of Sept, 1968, at 3:46 o'clock P.M., and recorded in book 377 on page 644. Record of Deeds of said County. Witness my hand and seal of County affixed. Jack Butler, Hamilton Clerk Title. By Keith Butler Deputy.

No.

After recording return to: Sender Real Estate 800 E 1st Street Yamhill, Oregon 97142

633



KNOW ALL MEN BY THESE PRESENTS, That I, Ada Peters, a widow

hereinafter called the grantor, in consideration of Ten 00/100 Dollars,

to grantor paid by E. B. Stanley and Ruby F. Stanley, husband and wife and Elmer L. Blomberg and Hilma C. Blomberg, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Yamhill and State of Oregon, described as follows, to-wit:

PARCEL 1: All that portion of the following described premises lying East of State Secondary Highway #219 (also known as S. S. H. #110):

Situate, lying and being in Yamhill County, Oregon, described as follows: Being a part of the Donation Land Claim of William T. Wallace, Notification #1477, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian, starting at a point 80 rods South and 43.85 rods East of the Northwest corner of the said Wm. T. Wallace Donation Land Claim for the beginning point for tract here-in conveyed and thence East 5.19 chains; thence North 20 chains; thence West 2.61 chains; thence South 47° West 3.80 chains; thence South 17.05 chains to point of beginning.

PARCEL 2: Being a part of the William T. Wallace Donation Land Claim, Notification #1477, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian, the beginning point for land conveyed being 80 rods South and 64.60 rods East of the Northwest corner of said Wm. T. Wallace Donation Land Claim; thence East 10 rods; thence North 80 rods; thence West 10 rods; thence South 80 rods to the place of beginning.

To Have and to Hold the above described and granted premises unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances EXCEPT: Right of the public in and to that portion of the premises lying in roads and highways

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

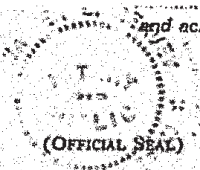
In construing this deed and where the context so requires, the singular includes the plural. WITNESS grantor's hand this 2nd day of Nov, 1967



(ORS 93.490)

STATE OF OREGON, County of Yamhill ) ss. 19 67  
Personally appeared the above named Ada Peters, a widow

and acknowledged the foregoing instrument to be her voluntary act and deed.



Before me: Jack Beeler  
Notary Public for Oregon  
My commission expires 6-4-77

WARRANTY DEED

ADA PETERS TO E. B. STANLEY, ET UX & ELMER L. BLOMBERG, ET UX AFTER RECORDING RETURN TO

Stanley & Co., Realtors 820 East First Street Newberg, Oregon 97132

90421

DON'T USE THIS LABEL UNLESS YOU HAVE BEEN ADVISED BY THE COUNTY CLERK

STATE OF OREGON, } ss. County of Yamhill

I certify that the within instrument was received for record on the 2 day of November, 1967, at 2:16 o'clock P.M., and recorded in book 463 on page 912 Record of Deeds of said County.

Witness my hand and seal of Yamhill County affixed.

Jack Beeler County Clerk - Recorder  
Carol Myero Deputy

SE

VOL 57 PAGE 681

THIS CONTRACT, Made this 14th day of December, 1963, between J. H. Peters and Ada Peters, hereinafter called the sellers, and E. B. Stanley and Ruby F. Stanley, husband and wife, and Elmer L. Blomberg and Hilma C. Blomberg, husband and wife hereinafter called the buyer,

WITNESSETH, That in consideration of the stipulations herein contained and the payments to be made as hereinafter specified, the sellers hereby agree to sell to the buyer and the buyer agrees to purchase from the sellers the following described real estate, situate in the County of Yamhill State of Oregon, to-wit: PARCEL 1: All that portion of the following described premises lying EAST OF state Secondary Highway #219:

Situate, lying and being in Yamhill County, State of Oregon, described as follows: Being a part of the Donation Land Claim of William T. Wallace, Notification #1477, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian, starting at a point 80 rods South and 43.85 rods East of the Northwest corner of said Wm. T. Wallace Donation Land Claim for the beginning point for tract herein conveyed and thence East 5.19 chains; thence North 20 chains; thence West 2.61 chains; thence South 47° West 3.80 chains; thence South 17.05 chains to point of beginning.

PARCEL 2: Being a part of the William T. Wallace Donation Land Claim Notification #1477, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian, the beginning point for land conveyed being 80 rods South and 64.60 rods East of the Northwest corner of said Wm. T. Wallace Donation Land Claim; thence East 10 rods; thence North 80 rods; thence West 10 rods; thence South 80 rods to the place of beginning.

Title subject to the rights of the public in and to that portion lying in roads and highways. for the sum of Five Thousand and 00/100 Dollars (\$ 5,000.00 )

(hereinafter called the purchase price) on account of which One Thousand and 00/100 Dollars (\$ 1,000.00 ) is paid on the execution hereof (the receipt of which is

hereby acknowledged by the seller), and the remainder to be paid to the order of the seller at the times and in amounts as follows, to-wit:

Not less than One Thousand and 00/100 (\$1,000.00) PLUS INTEREST AT 6% to be paid annually until the full amount for the purchase price, together with interest, has been paid; the first such annual payment to be due and payable on November 1, 1964.

All of said purchase price may be paid at any time; all deferred balances of said purchase price shall bear interest at the rate of six per cent per annum from December 15 until paid, interest to be paid annually and in addition to the minimum regular payments above required. Taxes on said premises for the current tax year shall be prorated between the parties hereto as of the date of this contract.

At the time of the execution hereof, the sellers herein (who are husband and wife) own said described real estate as tenants by the entireties; wherefore, the sellers intend and declare that their interest in this contract and in the unpaid purchase price of said described real estate henceforth shall be that of joint tenants with the right of survivorship and not that of tenants in common; in the event of the death of one of the sellers, the title to the seller's interest in this contract and in and to the then unpaid balance of said purchase price, principal and interest, immediately shall vest solely in the survivor of the sellers.

The buyer shall be entitled to possession of said lands on December 15, 1963, and may retain such possession so long as he is not in default under the terms of this contract. The buyer agrees that at all times he will keep the buildings on said premises, now or hereafter erected, in good condition and repair and will not suffer or permit any waste or strip thereof; that he will keep said premises free from mechanics and other liens and save the sellers harmless therefrom and reimburse sellers for all costs and attorney's fees incurred by them in defending against any such liens; that he will pay all taxes hereafter levied against said property, as well as all water rents, public charges and municipal liens which hereafter may be imposed upon said premises, all promptly before the same or any part thereof become past due; that at buyer's expense, he will insure and keep insured all buildings now or hereafter erected on said premises against loss or damage by fire (with extended coverage)

is an amount not less than \$ none in a company or companies satisfactory to the sellers, with loss payable to the sellers as their interest may appear and all policies of insurance to be delivered to the sellers as soon as insured. Now if the buyer shall fail to pay any such liens, costs, water rents, taxes, or charges or to procure and pay for such insurance, the sellers may do so and any payment so made shall be added to and become a part of the debt secured by this contract and shall bear interest at the date aforesaid without waiver, however, of any right arising to the sellers for buyer's breach of contract.

The sellers agree that at their expense and within ten days from the date hereof, they will furnish unto buyer a title insurance policy insuring (in an amount equal to said purchase price) marketable title in and to said premises in the sellers on or subsequent to the date of this agreement, save and except the usual printed exceptions and the building and other restrictions and easements now of record, if any. Sellers also agree that when said purchase price is fully paid and upon request and upon surrender of this agreement, they will deliver a good and sufficient deed conveying said premises in fee simple unto the buyer, his heirs and assigns, free and clear of all encumbrances as of the date hereof excepting, however, the said easements and restrictions and the taxes, municipal liens, water rents and public charges now asserted by the buyer and further excepting all liens and encumbrances created by the buyer or his assigns.

And it is understood and agreed between and between said parties that time is of the essence of this contract, and in case the buyer shall fail to make the payments above required, or any of them, punctually within ten days of the time limited therefor, or fail to keep any agreement herein contained, then the sellers at their option shall have the following rights: (1) to declare this contract null and void, (2) to declare the whole unpaid principal balance of said purchase price with the interest thereon at once due and payable and for (3) to foreclose this contract by suit in equity, and in any of such right to the possession of the premises above described and all other rights acquired by the buyer hereunder shall utterly cease and determine and the buyer shall be deemed to have abandoned the purchase of said property, as absolutely, fully and perfectly as if this contract and such payments had never been made; and in case of such default all payments heretofore made on this contract are to be retained by and belong to said seller at the seller's and any time thereafter to order upon the land aforesaid without any process of law and take immediate possession thereof together with all the improvements and appurtenances thereon or thereon belonging.

The buyer further agrees that failure by the sellers of any firm to require performance by the buyer of any provision hereof shall in no way affect their right hereunder to enforce the same, nor shall any waiver by said sellers of any breach of any provision hereof be held to be a waiver of any succeeding breach of any such provision or as a waiver of the provision itself.

In case suit or action is instituted to foreclose this contract or to enforce any of the provisions hereof, the buyer agrees to pay such sum as the court may judge reasonable as attorney's fees to be allowed plaintiff in said suit or action.

In witnessing this contract, it is understood that the buyer may be more than one person; that if the widest so requires, the singular pronoun shall be taken to mean and include the plural, the masculine shall include the feminine and the neuter, and all grammatical changes shall be made, construed, and applied to make the provisions hereof apply equally to corporations and to individuals; also, in the event of the demise of one of said sellers, that the word "sellers" shall mean only the survivor of them and the heirs and assigns of such survivor.

IN WITNESS WHEREOF, said parties have hereunto set their hands and seals in duplicate on this, the day and year first above written.

Elmer L. Blomberg (Witness) Hilma C. Blomberg (Witness) J. H. Peters (SEAL) Ada Peters (SEAL) E. B. Stanley (SEAL) Ruby F. Stanley (SEAL)

[For printed instructions, see reverse]



**AFTER RECORDING RETURN TO:**  
City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

**PUBLIC SANITARY SEWER AND PUBLIC WATERLINE EASEMENT**

In consideration of the sum of \$0.00 and other valuable consideration, Joseph W. Rourke, Jr. and Myrlene E. Rourke, herein called Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a public sanitary sewer line and a public water line across the following described real property:

A strip of land of varying width, situated in Section 8, Township 3 South, Range 2 West of the Willamette Meridian, and being a portion of that tract of land conveyed to Joseph W. Rourke, Jr. and Myrlene E. Rourke by deed recorded in Instrument No. 200502945, Yamhill County Deed Records. Said strip being more particularly described in Exhibit A and as depicted in Exhibit B.

**TO HAVE AND TO HOLD** said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and further absolves the Grantee from any damage not controlled by their actions.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

**FIRST AMERICAN TITLE**

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the parties have executed this document on this 23 day of May, 2013

J. William Rourke, Jr.  
J. William Rourke, Jr.

Myrlene J. Rourke  
Myrlene J. Rourke

1201 FULTON ST #13  
Address  
Newberg, OR 97132  
City, State, Zip

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

201315147



\$51.00

09/24/2013 02:38:32 PM

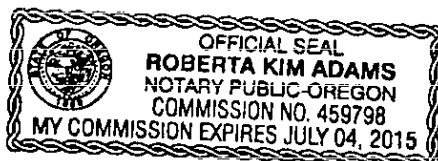
STATE OF Oregon )  
County of YAMHILL ) s.s.

DMR-EDMR Cnt=1 Stn=3 SLITTONS  
\$20.00 \$5.00 \$11.00 \$15.00

This instrument was acknowledged before me this 23 day of May, 2013 by J. William Rourke, Jr. and Myrlene J. Rourke.

Roberta Kim Adams

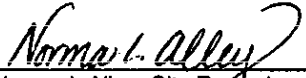
Notary Public for Oregon  
My Commission expires: 7/4/2015




**AFTER RECORDING RETURN TO:**  
City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

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CITY OF NEWBERG  
ACCEPTED:

  
\_\_\_\_\_  
Norma I. Alley, City Recorder  
Dated: September 16, 2013

APPROVED AS TO FORM

  
\_\_\_\_\_  
Terrence D. Mahr, City Attorney 9/11/2013  
Dated: \_\_\_\_\_

May 23, 2013

**J. William Rourke, Jr. and Myrlene J. Rourke**

**EASEMENT DEDICATION**

**LEGAL DESCRIPTION – For a Public Sanitary Sewer and Public Waterline  
Easement across Tax Lots 3208-2802 & 2900.**

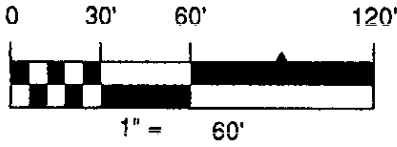
Situated in the Northwest Quarter of Section 8, Township 3 South, Range 2 West,  
Willamette Meridian, Yamhill County, Oregon.

A strip of land of varying width across that property described in deed to J. William Rourke, Jr. & Myrlene J. Rourke, recorded on February 14, 2005 in Instrument No. 200502945, Yamhill County Deed Records. Said strip being adjacent to and easterly of the easterly margin of the Hillsboro-Silverton Highway (State Highway 219), and being more particularly described as follows:

Beginning at a point at the intersection of the North line of that property described in Instrument No. 200502945 and the easterly margin of the Hillsboro-Silverton Highway; thence Southwesterly along the easterly margin of State Highway, a distance of 447 feet, more or less, to the south line of Instrument No. 200502945; thence East along the south line of Instrument No. 200502945, a distance of 45.75 feet; thence North 25°16'20" East, 229.05 feet; thence North 18°27'36" East, 172.02 feet; thence North 12°30'03" East, 36.29' to the north line of Instrument No. 200502945; thence West, along the north line of Instrument No. 200502945, 26.41 feet, more or less, to the easterly margin of the State Highway and Point of Beginning.

**EXHIBIT "A"**

Pg 1 of 2



**REFERENCE SURVEYS**

- (1) DUNCKEL ASSOC. 3/19/99
- (2) CSP - 4579
- (3) CSP - 4521

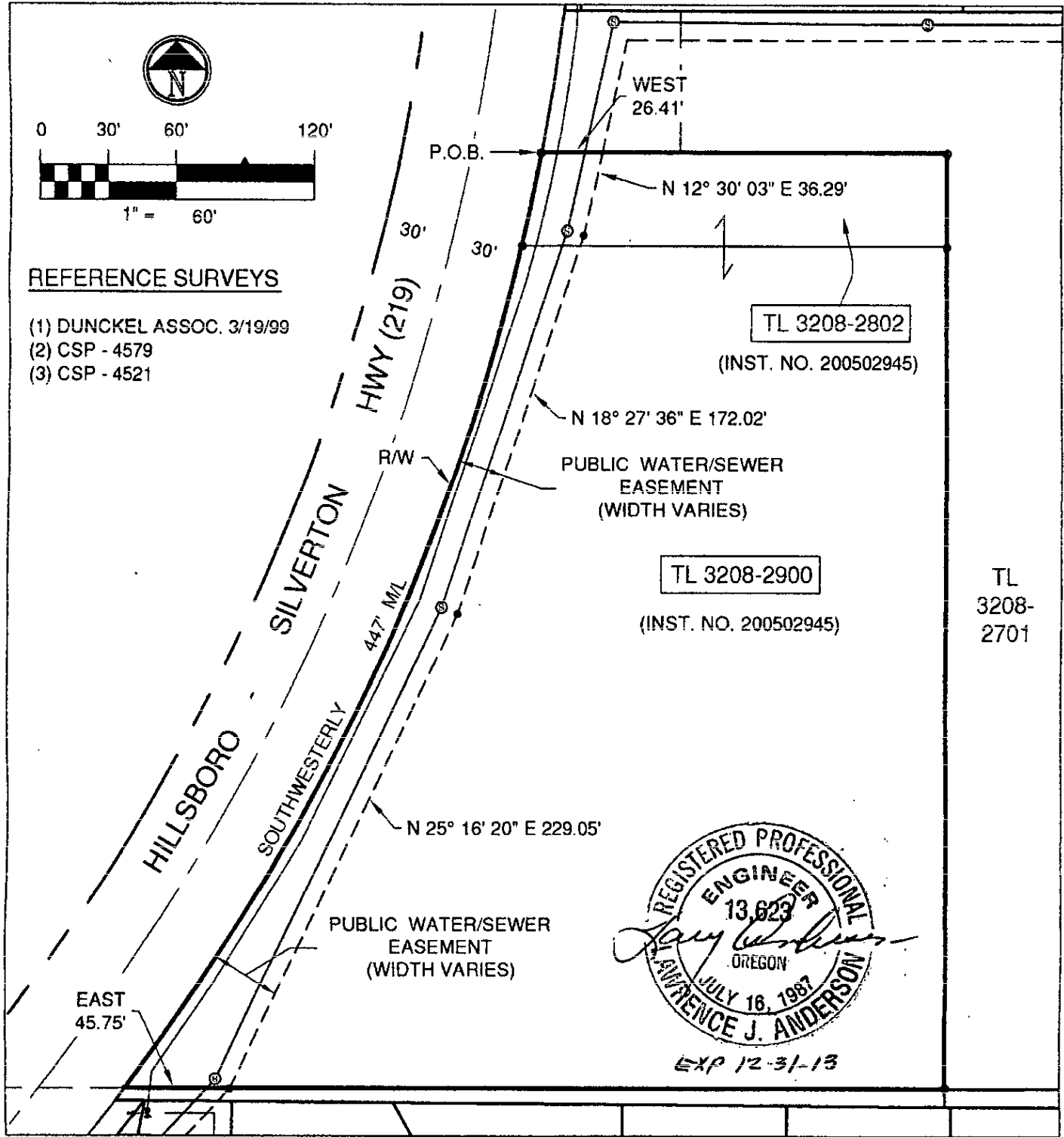


EXHIBIT 'B' Pg. 2 of 2

VERITAS SCHOOL  
 UTILITIES EXTENSION PROJECT  
 EASEMENT EXHIBIT

TAX LOT: 3208-2900  
 OWNER: ROURKE, WJ & MEJ  
 DEED: INST. NO. 200502945

DATE: 6/23/2013

DRAWN: KLA

SCALE: 1" = 60'

ADDRESS:  
 JOSEPH W. ROURKE, JR.  
 MYRLENE G. ROURKE  
 4016 N. COLLEGE ST.  
 NEWBERG, OR 97132

LAEI

112 N. Springbrook Road  
 Newberg, Oregon 97132  
 Phone: (503) 537-1110  
 email: andeng1@comcast.net

# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 17, 2017

Order No.	Ordinance No.	Resolution <u>X</u> No. 2017-3357	Motion	Information ____
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**SUBJECT: Reconsider adoption of an advanced financing agreement with Veritas School for the construction of a 10-inch public wastewater line and an 8-inch public water line along North College Street**

Contact Person (Preparer) for this Motion: Sonja Johnson, Engineering Associate  
Dept.: Engineering Services Department

## RECOMMENDATION:

Adopt Resolution No. 2017-3357 approving an advanced financing agreement with Veritas School for the construction of public improvements along North College Street.

## EXECUTIVE SUMMARY:

On May 5, 2003, the City of Newberg (“City”) and North Valley Friends Church (“NVF”) entered into a development agreement in response to the NVF’s application for a Conditional Use Permit with Yamhill County. The Development Agreement is a covenant running with the land and Veritas School became a party to the agreement when it purchased Tax Lot R3208 02702 from North Valley Friends Church. In accordance with the development agreement, Veritas School constructed an 8-inch public water mainline and a 10-inch public wastewater mainline along College Street to the City of Newberg’s Design and Construction Standards and was accepted by the City on June 11, 2015 (see Exhibit B). Veritas School submitted costs associated with constructing the public improvements to the City on June 25, 2015 which was within 6 months of acceptance of the project by the City as required by Newberg Municipal Code (NMC) §3.20.020 (see Exhibit C, Appendix A).

All of the intervening properties that would be affected by the proposed advanced financing agreement were outside of City limits at the time of the project acceptance by the City. In accordance with NMC §3.20.020, an application for an advanced financing agreement could not be submitted until one of the intervening properties was annexed into the City; on April 4, 2016, property owned by Mr. Bill Rourke at 4016 N College St (Tax Lot R3208 02900) was annexed into the City.

On June 3, 2016, Veritas School submitted an application for an advanced financing agreement (see Exhibit C, Appendix B) which was within the 6-month deadline required by NMC §3.20.020. Veritas School seeks to recuperate some of the costs associated with this project through an Advanced Finance Agreement. Intervening properties along North College Street will benefit from the construction of the public water and wastewater lines at the time of their development.

An Engineering Report (see Exhibit C) was prepared in response to the Advanced Financing application. Of the 15 properties identified as benefitting from the construction of the public mainlines, one property is a tract and not developable (TL R3208BC 0200), two properties are zoned as R-1, six properties are in the comprehensive plan as low density (assumed R-1 at annexation to the City), and six properties are designated as quasi-public. The zoning of quasi-public properties is determined when annexation occurs and, for the purposes of this AFA, it is assumed that they will mirror the surrounding area and be zoned as R-1 when they are annexed into the City. Given these assumptions, the properties will have similar constraints, e.g. maximum lot size, placed on their ability to impact the capacity of the public mainlines during development.



Two methods of apportionment, acreage and frontage, were considered for the AFA (see Table 1). If the frontage method is used for the AFA, 5 of the 9 property owners would pay substantially more of the construction cost. Of these 5 property owners, 3 have properties that are less than 1 acre; whereas of the 4 properties that would realize a savings using the frontage method, 3 are over 2 acres.

**Table 1. Methods of Apportionment Evaluated for the Advanced Finance Agreement.**

Property Owner	Water Acreage	Wastewater Acreage	Water Frontage, ft	Wastewater Frontage, ft	Method of Apportionment		% Difference (Acreage vs Frontage)
					Acreage	Frontage	
* North Valley Friends Church	19.0	19.0	948	927	\$ 170,441	\$103,831	-40%
** Veritas	5.0	5.7	216	605	\$ 48,027	\$43,449	-10%
* Bill Rourke	2.3	2.3	444	444	\$ 20,527	\$49,124	+139%
* John Wardin	0.0	2.6	0	180	\$ 12,011	\$9,046	-25%
DebraLyn Evans	0.8	0.8	10	0	\$ 7,171	\$604	-92%
Jim Fettig	1.2	1.2	194	194	\$ 10,756	\$21,464	+100%
Jerry Brown	0.8	0.8	300	300	\$ 7,171	\$33,192	+363%
John Milroy	0.0	0.8	0	344	\$ 3,484	\$17,289	+396%
Larry McWilliams	0.0	0.5	0	80	\$ 2,430	\$4,021	+66%
<b>Totals</b>	<b>29.1</b>	<b>33.7</b>	<b>2,112</b>	<b>3,074</b>	<b>\$282,019</b>	<b>\$282,019</b>	

\*These properties have been exempted from the Advanced Financing Agreement at the request of Veritas School (see Exhibit C, Appendix F).

Staff determined that acreage would be the most equitable method because it is a better model of the potential impact to the capacity provided by the public improvements and because of the non-linear shape of the parcels as they relate to the public improvements. After removing Veritas-owned properties and exempted properties, the remaining properties will reimburse Veritas School \$31,012 through this AFA (see Table 2).

**Table 2. Veritas School Reimbursement**

Property Owner	Acreage	Water	Wastewater	Reimbursement
DebraLyn Evans	0.8	\$ 3,503	\$ 3,668	\$ 7,171
Jim Fettig	1.2	\$ 5,255	\$ 5,501	\$ 10,756
Jerry Brown	0.8	\$ 3,503	\$ 3,668	\$ 7,171
John Milroy	0.8	\$ 0	\$ 3,484	\$ 3,484
Larry McWilliams	0.8	\$ 0	\$ 2,430	\$ 2,430
<b>Totals</b>		<b>\$ 12,261</b>	<b>\$ 18,751</b>	<b>\$ 31,012</b>

**FISCAL IMPACT:**

There is no fiscal impact to the City.

**STRATEGIC ASSESSMENT:**

The advanced finance mechanism allows recovery of off-site improvement costs and promotes development.



## *RESOLUTION No. 2017-3357*

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**A RESOLUTION AUTHORIZING AN ADVANCED FINANCING AGREEMENT BETWEEN THE CITY AND VERITAS SCHOOL FOR THE CONSTRUCTION OF A 10-INCH PUBLIC WASTEWATER LINE AND AN 8-INCH PUBLIC WATER LINE ON NORTH COLLEGE STREET**

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### **RECITALS:**

1. On May 5, 2003, the City of Newberg (“City”) and North Valley Friends Church (“NVF”) entered into a development agreement. Veritas School became a party to the agreement when it purchased Tax Lot R3208 02702 from North Valley Friends Church.
2. In accordance with the development agreement, Veritas School constructed an 8-inch public water mainline and a 10-inch public wastewater mainline along College Street to the City of Newberg’s Design and Construction Standards and was accepted by the City on June 11, 2015 (see Exhibit B).
3. Veritas School submitted costs associated with constructing the public improvements to the City on June 25, 2015 which was within 6 months of acceptance of the project by the City as required by Newberg Municipal Code (NMC) §3.20.020 (see Exhibit C, Appendix A).
4. All of the intervening properties affected by an Advanced Financing Agreement (AFA) were outside of the City limits at the time of the project acceptance by the City. An application for an advanced financing agreement could not be submitted until one of the intervening properties was annexed into the City (see NMC §3.20.020).
5. On April 4, 2016, property owned by Bill Rourke at 4016 N College St (Tax Lot R3208 02900) was annexed into the City.
6. On June 3, 2016, Veritas School submitted an application for an advanced financing agreement (see Exhibit C, Appendix B). Veritas School seeks to recoup some of the costs associated with the construction of the 8-inch public water mainline and the 10-inch public wastewater mainline through an Advanced Finance Agreement.
7. During easement negotiations with Veritas School, John Wardin and North Valley Friends Church were exempted from a future AFA (see Exhibit C, Appendix F).
8. The City Council considered the adoption of the North College AFA at their February 21, 2017 hearing and denied the application.
9. At their March 6, 2017 meeting, the City Council voted to reconsider the AFA application on April 17, 2017.
10. On March 24, 2017, the City received a letter from Veritas exempting the property at 4016 N College St from a future AFA.
11. Removing the exempted properties from the AFA results in a potential reimbursement of \$31,012 to Veritas School for the construction of the North College Street public wastewater and water mainlines.

12. The City Council has the authority to approve an advanced financing agreement for a period of 10 years and set reimbursement amounts according to an equitable method of apportionment per NMC §3.20.

**THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**

1. The City Council incorporates the recitals set forth above, adopts the April 2017 Engineer's Report, and finds that it is in the public's interest and the City's interest to approve an Advanced Financing Agreement with Veritas School for a period of 10 years.
2. The City Council finds that an equitable method of apportionment is the acreage benefitting from the public improvements.
3. The City Council authorizes the City Manager to execute an advanced financing agreement between Veritas School and the City for a period of 10 years (April 18, 2027).
4. Veritas School shall guarantee the public improvements until June 11, 2017 (a period of two years after acceptance by City) as stipulated by the City of Newberg's Design and Construction Standards.
5. The properties identified in Exhibit A shall reimburse Veritas School for the listed amount as a condition of annexation and/or prior to connection to the public improvements. The City shall collect and disburse the amounts in accordance with the Advanced Financing Agreement.
6. Veritas School shall defend, indemnify and hold harmless the City in accordance with the Advanced Finance Agreement and NMC §3.20.
7. A potential total of \$31,012 for the construction of the public water and wastewater mainlines may be reimbursed to Veritas School.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 18, 2017

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 17<sup>th</sup> day of April 2017.

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Sue Ryan, City Recorder

**ATTEST** by the Mayor this 17<sup>th</sup> day of April 2017.

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Bob Andrews, Mayor

# EXHIBIT A

**Table 1. Summary of Intervening Properties and the Reimbursement Amount**

<b>Tax Lot ID</b>	<b>Property Description</b>	<b>Property Owner</b>	<b>Reimbursement Amount</b>
R3208 02900	Instrument No. 2005-2945	Bill Rourke	\$ 0*
R3207AA 00200	Instrument No. 2015-8292	DebraLyn Evans	\$ 7,171
R3207AA 00300	Instrument No. 2015-17859	Jim Fettig	\$ 10,756
R3207AA 00400	Instrument No. 307-1229	Jerry Brown	\$7,171
R3207AD 00100	Instrument No. 2015-17074	John Milroy	\$3,484
R3207AD 00200	Instrument No. 2015-13030	Larry McWilliams	\$ 2,430
R3208 02700	Instrument No. 2006-25768	North Valley Friends Church	\$0*
R3208 02800	Instrument No. 2006-25768	North Valley Friends Church	\$0*
R3208 02702	Instrument No. 2005-4185	Veritas School	\$0**
R3208 02802	Instrument No. 90-176	North Valley Friends Church	\$0*
R3208 02701	Instrument No. 90-176	North Valley Friends Church	\$0*
R3208 02703	Instrument No. 2006-25768	North Valley Friends Church	\$0*
R3208BC 00100	Instrument No. 2012-14268	Veritas School	\$0**
R3208BC 00200	Instrument No. 2012-14268	Veritas School	\$0**
R3207AD 00700	Instrument No. 2013-393	John Wardin	\$0*

\*Adjustment made during easement negotiations between applicant and property owner

\*\* Veritas-owned property

Interest may apply on the above amounts. Contact the City of Newberg at 503.537.1240 for the correct amount.

**Table 2. Full Legal Description of Intervening Properties**

Tax Lot ID	Property Description
<p><b>R3208 02900</b></p>	<p><b>Instrument No. 2005-2945</b> Beginning at an iron pipe at the East boundary of Hillsboro-Silverton Highway, said point being South 00°02.5' East 1320.0 feet and East parallel to the North boundary of Section 8, a distance of 869.85 feet from the Northwest corner of William T. Wallace Donation Land Claim, Township 3 South, Range 2 West of the Willamette Meridian, Yamhill County, Oregon; thence East parallel to the North boundary of Section 8, a distance of 355.13 feet to an iron pipe; thence North 00°02.5' West parallel to the West boundary of Donation Land Claim, 405.73 feet; thence West parallel with South boundary, distance of 178 feet, more or less, to the East boundary of State Highway; thence Southwesterly along State Highway, a distance of 447 feet, more or less to the place of beginning. ALSO a non-exclusive easement for roadway purposes over a strip of land described as follows: Beginning at the most Northwest corner of the above described tract; thence East 60 feet; thence North 00°02.5' West 60 feet; thence West 50 feet, more or less to the Easterly boundary of Hillsboro-Silverton Highway; thence Southwesterly along the Easterly boundary of said Highway, 60 feet, more or less, to the place of beginning.</p>
<p><b>R3207AA 00200</b></p>	<p><b>Instrument No. 2015-8292</b> A tract of land in the William T. Wallace Donation Land Claim in Sections 7 and 8 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: BEGINNING at the Northwest corner of said Claim; and running thence South along the Claim line a distance of 80 rods; thence East 43.85 rods to the Southwest corner of that certain tract conveyed to J.H. Peters and Ada Peters by deed from George Livingston recorded December 24, 1924 in Book 91, Page 291, Deed Records; thence North 260 feet to the Northwest corner of that certain tract of land conveyed to J.H. Peters, et ux to Lawrence C. Fran, et ux by deed recorded December 16, 1952 in Book 168, Page 148, Deed Records; thence North along the West line of the Peters tract, 200 feet to the True Place of Beginning; thence North 125.2 feet; thence East 281.8 feet to the West right of way of the Newberg-Hillsboro Highway; thence Southerly along the right of way 125.3 feet to a point East of the point of beginning; thence West 275.7 feet to the Place of Beginning. ALSO a tract of land located in Section 3, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows: All that tract of land described in deed to David A. Sprecher and Janice L. Sprecher in Film Volume 113, Page 1991, Yamhill County Deed Records, lying northerly of the following described line: Commencing at an iron rod at the northeast corner of Lot 13 of CHEHALEM TERRACE SUBDIVISION; thence North 00°03'00" East 10.01 feet to an iron rod; thence North 00°09'18" East 12.00 feet to an iron rod and the True Point of Beginning; thence South 85°02'13" East 272.03 feet to a point on the west margin of College Street (Oregon State Highway No. 219) that is 35.00 feet distance from, when measured at right angles to the centerline of said street, from which an iron rod bears South 85°02'13" East 5.01 feet. TOGETHER WITH an easement for access and utilities purposes, 30 feet in width, lying 15 feet each side of the following described line: Commencing at an iron rod at the northeast corner of Lot 13 of CHEHALEM TERRACE SUBDIVISION; thence North 00°03'00" East 10.01 feet to an iron rod; thence North 00°09'18" East 12.00 feet to an iron rod; thence South 85°02'13" East 246.83 feet to the True Point of Beginning; thence South 10°51'39" East 53.04 feet; thence South 32°06'45" East 15.65 feet to a point on the west margin of College Steet (Oregon State</p>

	Highway No. 219) and the end of said described line, the sidelines of said easement to extend and shorten with said west margin.
<b>R3207AA 00300</b>	<b>Instrument No. 2015-17859</b> A tract of land in the William T. Wallace Donation Land Claim in Section 8 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows, to-wit: Beginning at the Northwest corner of said Claim; and running thence South along the Claim line, a distance of 80 rods; thence East 43.85 rods to the Southwest corner of that certain tract conveyed to J.H. Peters et ux., by Deed from George Livingston, recorded December 24, 1924 in Book 91, Page 291, Deed Records; thence North 260 feet to the Northwest corner of that certain tract of land conveyed by J.H. Peters ex ux. to Lawrence C. Frank et ux., by Deed recorded December 16, 1952 in Book 168, Page 148, which point is the True Point of Beginning of the tract herein described; thence North along the West line of the Peters tract, a distance of 325.2 feet; thence East 287.3 feet to a point on the West line of the Hillsboro-Newberg Highway; thence Southerly along the West line of said Highway to the Northeast corner of the Frank property above referred to; thence West along the North line of the Frank property 232.8 feet to the Point of Beginning. SAVE AND EXCEPTING THEREFROM that portion conveyed to Michael D. Tilden and Deborah L. Tilden, as tenants by the entirety, by Deed recorded July 3, 2008, as Instrument No. 200811466, Deed and Mortgage Records of Yamhill County, Oregon. FURTHER SAVE AND EXCEPTING THEREFROM that portion conveyed to Michael D. Tilden and Deborah Tilden, as tenants by the entirety, by Deed recorded June 12, 2015, as Instrument No. 201508291, Deed and Mortgage Records of Yamhill County, Oregon.
<b>R3207AA 00400</b>	<b>Instrument No. 307-1229</b> Part of the William T. Wallace D.L.C. #47 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows: Beginning 80 rods South and 43.85 rods East of the Northwest corner of said Claim; thence East 80 feet to the West margin of the county road for the true place of beginning; thence West 80 feet to the Southwest corner of the J.M. Peters tract; thence North 260 feet; thence East 250 feet to the West margin of said road; thence Southwesterly along the road to the true place of beginning. EXCEPT that portion conveyed to State of Oregon by and through its State Highway Commission by deed recorded January 30, 1956 in Book 179, Page 499, Deed Records. FURTHER EXCEPTING the West 8.48 feet of even width.
<b>R3207AD 00100</b>	<b>Instrument No. 2015-17074</b> Part of the William T. Wallace D.L.C. #47 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning at a point 20.10 chains South and 622 feet South 89°59' East from the Northwest corner of said claim; thence North 6.6 feet more or less, to a point on the South line of Lot 14 in Chehalem Terrace Subdivision in Yamhill County, Oregon; thence East along said South line extended 178.0 feet, more or less, to a point on the Westerly right of way line of State Highway #219; thence Southwesterly along said right of way line 9.30 feet, more or less, to a point that is South 89°59' East of the point of beginning; thence North 89°59' West 165.43 feet to the place of beginning.

<b>R3207AD 00200</b>	<p><b>Instrument No. 2015-13030</b>  Part of the William T. Wallace Donation Land Claim No. 47 in Township 3 South, Range 3 West, Willamette Meridian, in Yamhill County, Oregon, described as follows: Beginning at the Northwest corner of said Claim; thence South 20.10 chains to an iron rod set in Yamhill County Survey P-4677; thence South 89 deg. 55 min. East 521.68 feet to an iron rod set South 6.6 feet from South line of Chehalem Terrace Subdivision; thence South 00 deg. 00 min. 48 sec. West 216.08 feet to an iron rod set in the line of the Northerly right-of-way of the Hillsboro to Silverton Highway; thence Southwesterly along the Highway to a point on the Northeasterly line of a dedicated public road described in Book 19 Page 990, thence Northwesterly along the right-of-way to the Northeast corner, thence West along the right-of-way 33.83 feet to the East line of Parcel one of that tract of land conveyed to Harold Severson, et al by deed recorded October 31, 1994 in film Volume 318, Page 791, thence North along the Severson tract 150 feet to the Northeast corner thereof; thence south 89 deg. 55 min. East to the point of beginning.</p>
<b>R3208 02700</b>	<p><b>Instrument No. 2006-25768</b>  Part of the William T. Wallace Donation Land Claim #47, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian Yamhill County, Oregon, described as follows: Beginning at a point 80 rods South and 116 rods East of the Northwest corner of said Wallace Donation Land Claim, said point being situated on the North line of a certain tract of land conveyed to Lloyd A. Petrie and wife by deed recorded November 1, 1950 in Book 159, Page 465, Deed Records, said point also being the Southwest corner of a certain tract of land conveyed to Earl E. Walker and wife by deed recorded March 16, 1954 in Book 172, Page 579, Deed Records,; thence North 80 rods along the West line of said Walker tract; thence West 41.60 rods to the Northeast corner of a certain tract of land conveyed to J.H. Peters and wife by deed recorded December 24, 1924 in Book 91, Page 291, Deed Records; thence South 80 rods along the East line of said Peters tract to the Southeast corner of said Peters tract; thence East 42.40 rods to the place of beginning. SAVE AND EXCEPT that portion of the above describe real property to J. William Rourke, Jr., Paul Strait and Al Lehman by warranty deed recorded May 12, 1972, in Film Volume 89 on Page 700, Deed and Mortgage Records, Yamhill County, Oregon. SAVE AND EXCEPT that portion in Deed recorded March 1, 2005 as Instrument No. 200504184, Deed and Mortgage Records, Yamhill County, Oregon</p>
<b>R3208 02800</b>	<p><b>Instrument No. 2006-25768</b>  Being a part of the William T. Wallace Donation Land Claim #47, Notification No. 1477, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian Yamhill County, Oregon, the beginning point for land conveyed being 80 rods South and 64.60 rods East of the Northwest corner of said William t. Wallace Donation Land Claim; thence East 10 rods; thence North 80 rods; thence West 10 rods; thence South 80 rods to the place of beginning. EXCEPTING THEREFROM the tract conveyed to Harlin M. Huffman and wife by deed recorded September 18, 1968 in Film Volume 72, Page 644, Deed and Mortgage Records, Yamhill County, Oregon. SAVE AND EXCEPT that portion of the above describe real property to J. William Rourke, Jr, Paul Strait and Al Lehman by warranty deed recorded May 12, 1972, in Film Volume 89 on Page 700, Deed and Mortgage Records, Yamhill County, Oregon.</p>
<b>R3208 02702</b>	<p><b>Instrument No. 2005-4185</b>  A tract of land in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in</p>

	<p>Yamhill County, Oregon, being more particularly described as follows: Beginning at a point that is South 80 rods (1320.00 feet) and East 116 rods (1914.00 feet) from the Northwest corner of the William T. Wallace Donation Land Claim No. 47; thence North 465.46 feet to the TRUE POINT OF BEGINNING; thence North 422.17 feet; thence North 89°56'45" West 515.74 feet; thence south 422.17 feet; thence South 89°56'45" East 515.74 feet to the true point of beginning.</p>
<p><b>R3208 02802</b></p>	<p><b>Instrument No. 90-176</b> A tract of land in the William T. Wallace Donation Land Claim #47 in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning 64.60 rods East of the Northwest corner of the William T. Wallace Donation Land Claim in said Section, Township and Range; thence East 105 feet; thence South 105 feet; thence West 105 feet; thence North 105 feet to the place of beginning.</p>
<p><b>R3208 02701</b></p>	<p><b>Instrument No. 90-176</b> A tract of land in the William T. Wallace Donation Land Claim #47 in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning at a point on the Easterly margin of State Secondary Highway #219 (Hillsboro-Silverton Highway) 1320 feet South and 869.85 feet East of the Northwest corner of said Donation Land Claim; thence East 355.13 feet to the true point of beginning, said point also being the Southeast corner of that certain tract of land conveyed to Harlin M. Huffman, et ux, by deed recorded September 18, 1968 in Film Volume 72, Page 644, Deed and Mortgage Records; thence East parallel to the North line of Section 8, a distance of 400 feet; thence North 00°02.5' West 465.73 feet ; thence West 580 feet, more or less, to the Easterly margin of said highway; thence Southwesterly along said Easterly margin, 60 feet, more or less, to the Northwest corner of said Huffman tract; thence East along the North line of said Huffman tract, 178 feet to the Northeast corner thereof; thence South 00°02.5' East along the East line of said Huffman tract, 405.73 feet to the true place of beginning.</p>
<p><b>R3208 02703</b></p>	<p><b>Instrument No. 2006-25768</b> Part of the William T. Wallace Donation Land Claim #47, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian Yamhill County, Oregon, described as follows: Beginning at a point 80 rods South and 116 rods East of the Northwest corner of said Wallace Donation Land Claim, said point being situated on the North line of a certain tract of land conveyed to Lloyd A. Petrie and wife by deed recorded November 1, 1950 in Book 159, Page 465, Deed Records, said point also being the Southwest corner of a certain tract of land conveyed to Earl E. Walker and wife by deed recorded March 16, 1954 in Book 172, Page 579, Deed Records,; thence North 80 rods along the West line of said Walker tract; thence West 41.60 rods to the Northeast corner of a certain tract of land conveyed to J.H. Peters and wife by deed recorded December 24, 1924 in Book 91, Page 291, Deed Records; thence South 80 rods along the East line of said Peters tract to the Southeast corner of said Peters tract; thence East 42.40 rods to the place of beginning. SAVE AND EXCEPT that portion of the above describe real property to J. William Rourke, Jr., Paul Strait and Al Lehman by warranty deed recorded May 12, 1972, in Film Volume 89 on Page 700, Deed and Mortgage Records, Yamhill County, Oregon. SAVE AND EXCEPT that portion in Deed recorded March 1, 2005 as Instrument No. 200504184, Deed and Mortgage Records, Yamhill County, Oregon.</p>



<b>R3208BC 00100</b>	<b>Instrument No. 2012-14268</b> Parcel 2 of Partition Plat 99-49, recorded December 14, 1999 as Instrument No. 199924034, Deed and Mortgage Records, Yamhill County, Oregon.
<b>R3208BC 00200</b>	<b>Instrument No. 2012-14268</b> Tract "A", THE SUMMT AT OAK KNOLL NO. 3, in the City of Newberg, Yamhill County, Oregon.
<b>R3207AD 00700</b>	<b>Instrument No. 2013-393</b> A part of the donation Land Claim of William T. Wallace, being Claim No. 47 in Township 3 South of Range 2 West of the Willamette Meridian in Yamhill County, State of Oregon, and said part being more particularly bounded and described as follows: Beginning at a point on the West boundary line of said Claim, 30.10 chains South of the Northwest corner of said Claim; thence running South 89°55" East 22 chains; thence running North 10 chains; thence running North 89°55' West to a point on the East Boundary line of the Highway right of way conveyed to Yamhill County, Oregon by deed duly recorded and now of record in Volume 105 at page 507 of Deed Records of Yamhill County, Oregon; thence running in a Southwesterly direction following the East boundary line of said highway right of way to a point in the center of the present market Road No. 22 and on the West boundary line of said Donation Land Claim; and thence running south on the West boundary line of said Donation Land Claim to the place of beginning. EXCEPT that portion conveyed to the State of Oregon by and through its State Highway Commission by deed recorded February 8, 1956, in Book 179, Page 606, Deed Records and ALSO EXCEPTING that portion conveyed to Earl E. Sandager and wife by deed recorded April 17, 1957 in Book 184, Page 78, Deed Records. ALSO EXCEPTING Beginning at an iron pipe set South 1980 feet and South 89°39' East 989.5 feet from the Northwest corner of the William T. Wallace Donation Land Claim in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon; thence South 89°39' East a distance of 462.5 feet; thence North 359 feet to the Southeast corner of the tract conveyed to Earl E. Sandager et ux by deed recorded April 18, 1957 in Book 184, Page 78; thence Westerly along the South line of the Sandager tract a distance of 460.38 feet ; thence South 00°22' West a distance of 368.64 feet to the place of beginning. FURTHER EXCEPTING Beginning at a point on the West line of the William T Wallace Donation Land Claim in Section 8, Township 3 South, Range 2 West of the Willamette Meridian, Yamhill County, Oregon, and being 30 chains South of the Northwest corner of said claim; thence South 89°39' East 989.5 feet to an iron pipe at the true point of beginning for this tract description; thence North 00°22' East 60 feet to an iron pipe; thence North 89°39' West 376.63 feet to an iron pipe; thence North 00°36' East 282.11 feet to an iron pipe; thence North 89°39' West 150.26 feet to the Southeasterly margin of State Highway No. 219; thence South 61°58' West along said Highway margin a distance of 217.5 feet; thence on a curve to the left on said highway margin to a point 50 feet East of the West line of said Wallace Claim; thence south 89°39' East 939.5 feet to the true point of beginning.

**Exhibit B. Letter of Acceptance from the City to Veritas**

**Exhibit C. Engineer's Report**



**ADVANCED FINANCING IMPROVEMENT  
NORTH COLLEGE WATER AND WASTEWATER SYSTEMS**

**ENGINEER'S REPORT  
APRIL 2017**

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## **1. BACKGROUND**

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On May 5, 2003, the City of Newberg (“City”) and North Valley Friends Church (“NVF Church”) entered into a development agreement in response to the NVF Church’s application for a Conditional Use Permit with Yamhill County. The Development Agreement is a covenant running with the land and Veritas School became a party to the agreement when it purchased Tax Lot R3208 02702 from North Valley Friends Church.

In accordance with the development agreement, Veritas School constructed an 8-inch public water mainline and a 10-inch public wastewater mainline along College Street that complied with the City of Newberg’s Design and Construction Standards. The lines were accepted by the City on June 11, 2015.

Veritas School seeks to recuperate some of the costs associated with this project through an Advanced Finance Agreement (AFA). Intervening properties along North College Street will benefit from the construction of the public water and wastewater mainlines when development occurs.

Veritas School submitted costs associated with constructing the public improvements to the City on June 25, 2015 which was within 6 months of acceptance of the project by the City as required by Newberg Municipal Code (NMC)§3.20.020 (see Appendix A).

According to NMC §3.20.020, an application for an AFA cannot be submitted until at least one of the properties that would benefit from a public improvement is within the city limits. At the time that the City accepted the public mainlines from Veritas, none of the benefitting properties were within the city limits.

On April 4, 2016, property owned by Mr. Bill Rourke at 4016 N College St (Tax Lot R3208 02900) was annexed into the City. On June 3, 2016, Veritas School submitted an application for an advanced financing agreement (see Appendix B) which was within the 6-month deadline required by NMC §3.20.020.

## **2. IMPROVEMENT DESCRIPTION AND COST**

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The proposed public improvements included in the Advanced Financing application are an 8-inch water mainline and a 10-inch wastewater mainline. As shown in Figure 1, the 8-inch ductile iron public water line extends from the northern section of Tax Lot R3208BC 00200 (owned by Veritas School) to Hwy 219/College St where it follows Hwy 219/College St to the southern boundary of Tax Lot R3208 02800 (owned by NVF Church). It then turns east and terminates at the western boundary of Tax Lot R3208 02703 (owned by NVF Church).

The 10-inch PVC public wastewater line extends from the manhole in front of 825 Alexandra Dr. running along the western edge of Tax Lot R3207AD 00700 (owned by Mr. John Wardin) north to Hwy 219/College St where it follows Hwy 219 until the northern boundary of Tax Lot R3208

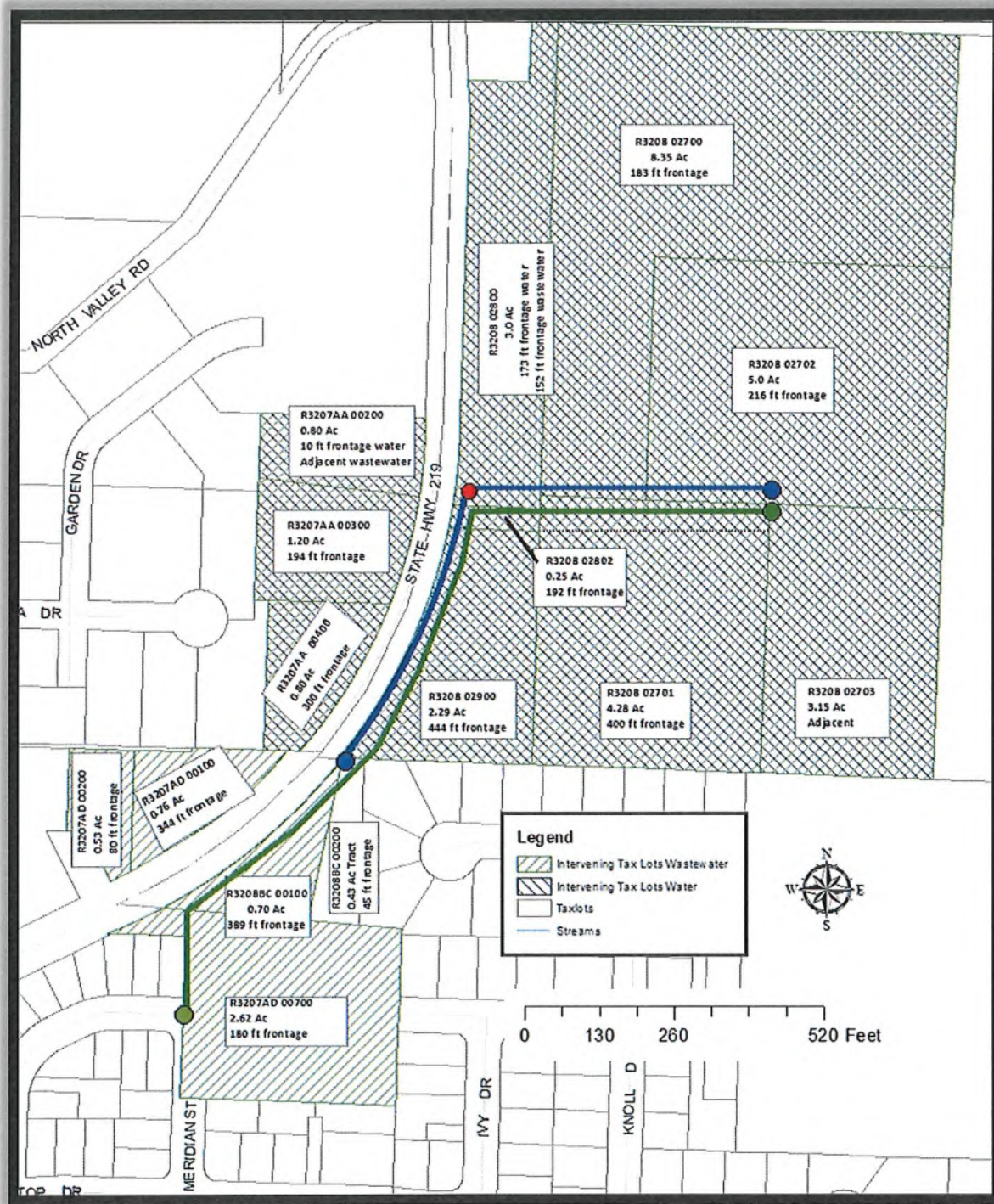


Figure 1. Intervening Properties and Public Improvements

02802 (owned by NVF Church). It then turns east and terminates at the western edge of Tax Lot R3208 02703 (owned by NVF Church).

The total cost to design and construct the public water and wastewater lines was \$282,019 (see Appendix C). The cost for engineering services was within the standard engineering practice of 15% of the construction and permitting costs.

### 3. DESCRIPTION OF INTERVENING PROPERTIES

The definition of “Intervening Properties” in NMC §3.20.010 is “Property abutting, contiguous to, benefitting from, or serviced by an advanced financed public improvement but does not include the development of public rights-of-way.” Properties that meet this definition for the public water line are listed in Table 1.

**Table 1. Intervening Properties for the North College Street Public Water Mainline**

Tax Lot		Site Address	Owner	Acres	% of Total Acreage
R3208	02800	4020 N College St	North Valley Friends Church	19.0	65.4
R3208	02700				
R3208	02802				
R3208	02701				
R3208	02703				
R3208	02702		Veritas	5.0	17.2
R3208BC	00100				
R3208BC	00200				
R3208	02900	4016 N College St	Bill Rourke	2.3	7.9
R3207AA	00200	4009 N College St	DebraLyn Evans	0.8	2.7
R3207AA	00300	3993 N College	Jim Fettig	1.2	4.1
R3207AA	00400	3909 N College St	Jerry Brown	0.8	2.7
<b>Total Acreage</b>				<b>29.1</b>	<b>100.00%</b>

Properties that meet the definition of “intervening property” for the public wastewater mainline are listed in Table 2. In general, the properties that were intervening properties for the public water mainline are also intervening properties for the public wastewater mainline. There are four additional tax lots that met the definition of an intervening property for only the wastewater mainline because it extends further south.

Tax Lot 320BC 00200 was designated as open space in the NW Newberg Specific Plan and as a tract in the Oak Knoll subdivision plat. As a tract, it cannot be developed and is therefore not a benefitting property for either of the public mainlines.

**Table 2. Intervening Properties for the North College Street Public Wastewater Mainline**

Tax Lot		Site Address	Owner	Acreage	% of Total Acreage
R3208	02800	4020 N College St	North Valley Friends Church	19.0	56.4
R3208	02700				
R3208	02802				
R3208	02701				
R3208	02703				
R3208	02702		Veritas	5.7	16.9
R3208BC	00100				
R3208BC	00200				
R3208	02900	4016 N College St	Bill Rourke	2.3	6.8
R3207AD	00700	3720 N College St	John Wardin	2.6	7.8
R3207AA	00200	4009 N College St	DebraLyn Evans	0.8	2.4
R3207AA	00300	3993 N College	Jim Fettig	1.2	3.6
R3207AA	00400	3909 N College St	Jerry Brown	0.8	2.4
R3207AD	00100	3855 N College St	John Milroy	0.8	2.3
R3207AD	00200	3735 N College St	Larry McWilliams	0.5	1.6
<b>Total Acreage</b>				<b>33.7</b>	<b>100.00%</b>

#### **4. RECOMMENDED REIMBURSEMENT**

Acreage was chosen as the most equitable method of assessment for the AFA given the irregular parcel shapes; variation between frontage access and acreage; and the ability to utilize the capacity of the public mainlines. The total acreage subjected to the Advanced Financing Agreement was determined to be 29.1 acres for the water mainline and 33.7 acres for the wastewater mainline.

The total amount being proposed for reimbursement to Veritas School as a result of the AFA is \$31,012 (see Table 3). Easement agreements negotiated between certain benefitting property owners and Veritas School contained language exempting them from a future Advanced



Financing Agreement (see Appendix F) and a letter dated 3/24/2017 from Veritas School exempted an additional property at 3016 N College St. The result is that only 5 of the 14 benefitting properties are subject to this AFA.

**Table 3. Reimbursable Costs Due from Non-Exempted Intervening Properties**

Tax Lot		Site Address	Owner	Water	Wastewater	Total Cost
R3207AA	00200	4009 N College St	DebraLyn Evans	\$ 3,503	\$ 3,668	\$ 7,171
R3207AA	00300	3993 N College	Jim Fettig	\$ 5,255	\$ 5,501	\$ 10,756
R3207AA	00400	3909 N College St	Jerry Brown	\$ 3,503	\$ 3,668	\$ 7,171
R3207AD	00100	3855 N College St	John Milroy	\$ -	\$ 3,484	\$ 3,484
R3207AD	00200	3735 N College St	Larry McWilliams	\$ -	\$ 2,430	\$ 2,430
<b>Total</b>				<b>\$ 12,261</b>	<b>\$ 18,751</b>	<b>\$ 31,012</b>

## **5. ADVANCED FINANCING AGREEMENT IMPLEMENTATION**

With the exception of Tax Lot R3208 02900, the intervening properties are not currently within the City Limits. It is recommended that the execution of the Advanced Financing Agreement be established as a future Condition of Approval when these properties apply for annexation and if it is within the 10-yr timeframe of the Agreement. The term of the Advanced Finance Agreement would be limited to the period of time remaining in the original 10-year term at the time of annexation unless an extension of the original agreement is approved by the City Council.

NMC§3.20.070 allows for a simple interest rate to be applied annually to the reimbursement costs on the anniversary date of the agreement. The interest rate is the prime rate at the time the agreement is executed. The interest accrual will cease for an intervening property when either 1) the property owner applies for a City permit which uses or increases the use of the public improvement(s) or 2) when the term of the Advanced Financing Agreement is completed. The advanced finance reimbursement is immediately due and payable upon utilization of the public utility lines. No City permit will be issued until the advanced finance reimbursement is paid in full for the affected property.

If the City Council adopts Resolution 2017-3357 approving the advanced financing agreement, notice letters of its adoption along with a copy of the resolution will be sent to the intervening property owners. The advanced financing agreement document (see Appendix E) and a copy of the resolution will be sent to Veritas School to be signed, recorded with Yamhill County against the intervening properties, and returned to the City.

## 6. APPENDICES

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### Appendix A. Newberg Municipal Code §3.20 Advance Financing of Certain Public Improvements

- 3.20.010 Definitions.
- 3.20.020 Application.
- 3.20.030 Advance financing report.
- 3.20.040 Public hearing.
- 3.20.050 Notification.
- 3.20.060 Advance financing resolutions and agreements.
- 3.20.070 Advance financed reimbursements.
- 3.20.080 Disposition of advance financed reimbursements.
- 3.20.090 Recording.
- 3.20.100 Public improvements.
- 3.20.110 Contesting the advance financing resolution.
- 3.20.120 Advance financed reimbursements on public improvements funded by city.

#### **3.20.010 Definitions**

For the purpose of this chapter and for the purposes of any advance financing agreement entered into pursuant hereto and for any actions taken as authorized pursuant to this chapter or otherwise, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“Advance financing” means a developer’s payment for the installation of one or more public improvements installed pursuant to this chapter which intervening property owners may utilize upon reimbursing a proportional share of the cost of such improvement.

“Advance financing reimbursement” means the payment made by an intervening property owner to the city for utilization of an advance financed public improvement.

“Advance financing resolution” means a resolution passed by the city council designating a public improvement to be an advance finance public improvement and containing provisions for financial reimbursement by intervening property owners who eventually utilize the improvement, provisions for an advance financing agreement between the developer and the city, and such other provisions as determined in the best interest of the public.

“Intervening property” means that real property abutting, contiguous to, benefiting from, or serviced by an advance financed public improvement but does not include the development of public rights-of-way.

“Public improvement” means the following:

1. The design, construction, reconstruction or upgrading of any wastewater or stormwater system improvements;
2. The design, illumination, grading, graveling, paving or other surfacing of any street, including bicycle lanes, or opening, laying out, widening, extending, altering, or changing the grade for construction of any street;
3. The design and construction or reconstruction of curb, gutter or sidewalks;
4. The design and undergrounding of public utilities; and
5. The design and installation of traffic control devices.

“Utilize” means to apply for a building or other permit which shall use or increase the use of an advance financed public improvement, to connect to an advance financed public improvement, or to otherwise increase the use of an advance financed public improvement.

“Increase the use” means:

1. For wastewater or stormwater lines, to make a physical change requiring a building or development permit on the intervening property which increases the volume discharged into the line.
2. For water lines, to make a physical change requiring a building or development permit on the intervening property which increases the amount of water used.
3. For public streets, to make a physical change requiring a building or development permit on the intervening property which increases the trips on the street or creates a new entrance onto the street. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.65.]

### **3.20.020 Application.**

A. Filing and Fee. The city manager or designee shall receive application for advance financing from the developer. A fee, sufficient to cover the cost of administrative review, notification of property owners, recording costs, and any other related expenses, shall accompany the application. The fee is established in the amount of \$1,000 and may be increased in individual cases to cover the expenses as indicated above. The fee may be amended by resolution at any time.

B. The City as Developer. When the city is the developer, the city council will, by motion, direct the city manager to submit the application without fee.

C. Property within City Limits. When the intervening property is within the corporate limits of the city at the time the public improvement was accepted by the city, the city manager shall not accept applications that are submitted more than six months after the public improvement is accepted by the city.

D. Property outside the City Limits. When the intervening property is outside the corporate limits of the city at the time the public improvement was accepted by the city, the city manager shall not accept any application(s) that are submitted prior to the property being annexed. The city manager shall not accept an application after the intervening property is annexed unless: (1) the cost of the

public improvement was submitted to the city within six months of acceptance by the city; (2) the public improvement that was constructed was accepted by the city within the last 10 years. This 10-year period for initial application cannot be extended. The application must be filed within the first six months following the annexation of the intervening property; provided, however, that the application may be filed if conditions (1) and (2) are met when the intervening property owner(s) files for annexation. The application may be processed concurrently with the annexation application. The acceptance by the intervening property owner(s) of the reimbursement obligation may be a condition of annexation.

E. Information in Application. The city manager will develop an application form which requires any information deemed by the city manager to be necessary for the processing of the application. The application shall include:

1. Description of the location, type, size, and cost of the public improvement to be advance financed.
2. A map depicting intervening properties, both front footage and total area computation of intervening properties, the development, and a list of intervening property owners with current mailing addresses.
3. The completion date of construction and acceptance by the city for the estimated proposed reimbursement amount from each intervening property.
4. An acknowledgement by the developer that it is the developer's duty to defend and indemnify the city from any and all losses, claims, damages, judgments, or other costs, expenses, and attorneys' fees arising as a result or related to this application.

F. Maintenance Bond. For the purpose of this section, acceptance of a facility does not include any maintenance bond period. [Ord. [2680](#) § 1, 9-17-07; Ord. [2558](#), 12-3-01; Ord. [2406](#), 5-1-95. Code 2001 § 36.66.]

### **3.20.030 Advance financing report.**

Upon receipt of the advance financing application, the city manager shall make an analysis of the advance financing proposal and shall prepare a report to be submitted to the city council for review, discussion and public hearing. Such report shall include a map showing the location and front footage of the development and intervening property. The report shall also include the city engineer's analysis of whether or not the submitted costs, by using the "standard engineering practices" method, of the public improvement is reasonable and the estimated advance finance reimbursement due from each intervening property owner. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.67.]

### **3.20.040 Public hearing.**

Within a reasonable time after the city manager has completed the analysis, an informational public hearing shall be held in which all parties and the general public shall be given the opportunity to express their views and ask questions pertaining to the proposed advance financed public improvement. Since advance financed public improvements do not give rise to assessments, the public hearing is for informational purposes only, and is not subject to mandatory termination due

to remonstrances. The city council has the sole discretion after the public hearing to decide whether or not an advance financing resolution shall be passed. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.68.]

### **3.20.050 Notification.**

Not less than 10 days nor more than 30 days prior to any public hearing being held pursuant to this chapter, the developer, all intervening property owners, and all potential intervening property owners shall be notified of such hearing and the purpose of the hearing. Such notification shall be accomplished by mail, and notice shall be made on the date that the letter of notification is posted. Failure of any owner to be so notified shall not invalidate or otherwise affect any advance financing resolution or the city council's action to approve or not approve the same. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.69.]

### **3.20.060 Advance financing resolutions and agreements.**

A. Resolution. After the public hearing held pursuant to NMC [3.20.040](#), if the city council desires to proceed with advance financed public improvements, it shall pass an advance financed resolution accordingly. The resolution shall:

1. Designate the proposed public improvement as an advance financed improvement and set forth the final cost if the final cost is known;
2. Identify with full legal description the development and intervening properties;
3. Provide for the advance financed reimbursement by intervening property owners;
4. Acknowledge any payment by an intervening property owner or an agreement between the intervening property owner and the developer if known to the city;
5. If the developer is not the city, instruct the city manager to enter into an agreement between the developer and the city pertaining to the advance financed improvement, requiring such guarantee or guarantees, as the city deems best to protect the public and intervening property owner; and
6. Provide such other provisions as the city council determines necessary and proper.

B. Agreement. The agreement shall be signed by both parties. The agreement shall contain the following provisions:

1. The total advance financed reimbursements shall not exceed actual costs of the public improvements.
2. The developer shall guarantee the advance financed public improvement for a period of 18 months from the date of acceptance by the city.
3. The developer shall defend, indemnify, and hold harmless the city from any and all losses, claims, damages, judgments, or other costs and expenses associated with the advance financed resolution and agreement, including any city costs, expenses, and attorneys' fees related to collection of the reimbursement fee should the city council decide to pursue collection of an unpaid reimbursement fee under this chapter.

4. The developer shall acknowledge that the city is not obligated to collect the advance financed reimbursement from intervening property owners.

5. Other provisions as the city council or city manager determines necessary and proper to carry out the provisions of this chapter.

C. Notice of Adoption of Resolution. The city shall notify all intervening property owners and the developer of the adoption of an advance financing resolution. The notice shall be sent by first class mail and include a copy of the resolution, the date it was adopted, and a short explanation. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.70.]

### **3.20.070 Advance financed reimbursements.**

A. Advance Financed Reimbursement Imposed. An advance financed reimbursement shall be imposed on all intervening properties at such time as an intervening property owner or agent, employee, or independent contractor of the intervening property owner utilizes the advance financed improvements.

#### **B. Rates.**

1. Amounts. The intervening property owner shall pay advance financed reimbursement calculated as follows: The total actual cost of the advance financed public improvement multiplied by a percentage of the unit of assessment being front frontage, area, or whatever other method is determined by the city council to be the most equitable method of assessment for the intervening property owner.

2. Interest Rates. Interest is added to the financed reimbursements annually using simple interest calculations. The interest rate is the current prime rate set upon the anniversary date of the execution of the agreement. The city council may set such other percentage rate from time to time by resolution as they determine is fair and reasonable.

3. Odd-Shaped Lots. Advance financing reimbursements for odd-shaped lots shall be individually established and consistent with the benefit received by the lot and the reimbursement required of other lots in the area. If inequities are created through the strict implementations of the above formulas, the city council may modify its impact on a case-by-case basis.

#### **C. Collection.**

The advance financed reimbursement is immediately due and payable to the city by intervening property owners upon utilization of an advance financed public improvement. If connection is made or construction commenced without required city permits, then the advance financed reimbursement is immediately due and payable upon the earliest date that any such permit was required. No city permit of any kind for the intervening property shall be issued until the advance financed reimbursement is paid in full. As an alternative to payment through the city, an intervening property owner may pay the developer directly, provided both the intervening property owner and developer report the payment to the city.

#### **D. Public Hearing for Unpaid Advance Financed Reimbursement.**

1. Whenever the full advance financed reimbursement has not been paid and collected for any reason after it is due, the city manager shall report to the city council the amount of the

uncollected reimbursement, the legal description of the intervening property on which the reimbursement is due, the date upon which the reimbursement was due and the intervening property owner's name or names.

2. The city council shall then, by motion, set a public hearing date and direct the city manager to give notice of the hearing to each of the identified intervening property owners, together with a copy of the city manager's report concerning the unpaid advance financed reimbursement. Such notice may be either by certified mail or personal service.

3. At the public hearing the city council may accept, reject or modify the city manager's report.

4. If the city council accepts or rejects the city manager's report and determines that the advance financed reimbursement is due but has not been paid for whatever reason, the city may take any action including all legal or equitable means necessary to collect the unpaid amount.

5. The city council, by motion, may direct the city manager to docket the unpaid and uncollected reimbursement in the city record of liens and upon completion of the docketing, the city council shall have a lien against the described land for reimbursements, interest, and the city's actual cost of serving notice upon the intervening or future property owners. The lien shall be enforced in the manner provided by ORS Chapter 223.

6. An unpaid advance financing reimbursement shall prohibit any issuance of permits by the city for the intervening property.

E. Interim Connections. Upon receiving a valid application for advance financing of a facility, the city shall prohibit connections to that facility until the city council takes final action on the application. As an alternative to prohibiting connections, the city may allow a connection, provided the connection applicant deposits an estimated reimbursement, determined by the city engineer, into a city trust account. The connection applicant shall also sign an agreement to pay the actual reimbursement, up to 150 percent of the estimate, when the city council determines the actual reimbursement amount. [Ord. 2680 § 1, 9-17-07; Ord. 2558, 12-3-01; Ord. 2406, 5-1-95. Code 2001 § 36.71.]

### **3.20.080 Disposition of advance financed reimbursements.**

A. Payment to Developer. Developers who have an advance finance agreement with the city shall receive the advance financed reimbursements collected by the city pertaining to their advance financed public improvements. Such reimbursements shall be delivered to the developer for a period of 10 years from and after the date the applicable advance financing agreement has been executed. Such payments will be made by the city within 90 days of receipt of the advance financed reimbursements.

B. Extension of Payment Period for an Additional 10 Years. At the end of the 10-year period, the developer may request that the city council authorize reimbursements for an additional period of a maximum of 10 years, but in no event shall the period of reimbursement be beyond the twentieth year of the date of acceptance of the improvement by the city. The request must be made between six months and one year prior to the end of the first 10 years. The city council has the discretion to approve or deny the request. The city council shall take into consideration the condition of the improvement, the public's interest, and the city's interest.

C. City's Liability. The city shall incur no liability for its failure to remit advance financed reimbursements pursuant to the requirements of this section. [Ord. [2680](#) § 1, 9-17-07; Ord. [2558](#), 12-3-01; Ord. [2406](#), 5-1-95. Code 2001 § 36.72.]

### **3.20.090 Recording.**

All advance financing resolutions shall be recorded by the city in the deed records of Yamhill County, Oregon. The city may choose to record a notice of the city's action in the deed records instead of the resolutions. The notice shall contain the full legal description of the development and intervening properties, as well as any other provisions the city deems appropriate. The notice shall be approved as to form and content by the city attorney. Failure to make such recording shall not affect the legality of an advance financing resolution or agreement. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.73.]

### **3.20.100 Public improvements.**

A. Ownership of Improvements. Public improvements installed pursuant to an advance financing agreement shall become and remain the sole property of the city pursuant to the advance financing agreement.

B. Multiple Improvements. More than one public improvement may be the subject of an advance financing agreement or resolution. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.74.]

### **3.20.110 Contesting the advance financing resolution.**

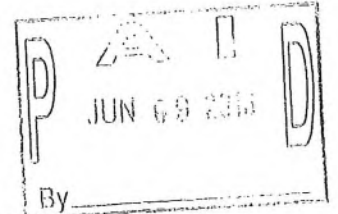
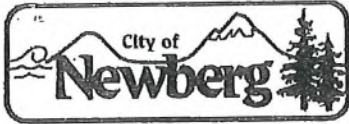
No legal action intended to contest the advance financing reimbursement, including the amount of the charge designated for each parcel, shall be filed after 60 days following the adoption of an advance financing resolution and any such legal action shall be exclusively by writ of review pursuant to ORS [34.010](#) through [34.102](#) contesting the advance financing resolution. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.75.]

### **3.20.120 Advance financed reimbursements on public improvements funded by city.**

In the event the city is the developer for the construction, at its own expense, of public improvements for which advance financed reimbursements are permissible pursuant to this chapter, the city may, pursuant to the direction of the city council, authorize advance financing agreements which include terms at variance with terms otherwise required by this chapter. The city council may authorize lower interest rates, may permit installment payments, and may extend the time period during which advance financed reimbursements may be required. [Ord. [2680](#) § 1, 9-17-07; Ord. [2406](#), 5-1-95. Code 2001 § 36.76.]



**Appendix B. Application for Advanced Financing of Public Improvements**



ADVANCED FINANCING OF PUBLIC IMPROVEMENTS APPLICATION

FILE #: DATE: 6/9/16 APPLIC. FEE: 1250.00 RECEIPT #: 9500401

OFFICE USE ONLY

APPLICANT INFORMATION:

APPLICANT: VERITAS SCHOOL ADDRESS: 401 MISSION DR. Newberg, OR 97132 PHONE: 503-538-1962 MOBILE: 503-312-6882 FAX: OWNER/DEVELOPER (if different from above): ADDRESS: Same AS ABOVE

GENERAL INFORMATION:

PROJECT LOCATION: Newberg, OR. (R3208 BC 100+200 TRACT "A" Summit at Oak Knoll #3 COST FOR PUBLIC IMPROVEMENTS (ENGINEER'S ESTIMATE ATTACHED): \$284,863.00 DESCRIBE THE IMPROVEMENTS THAT WERE MADE (BE SPECIFIC): Please see Attachment - previously submitted as requested by the City JAN, 2015.

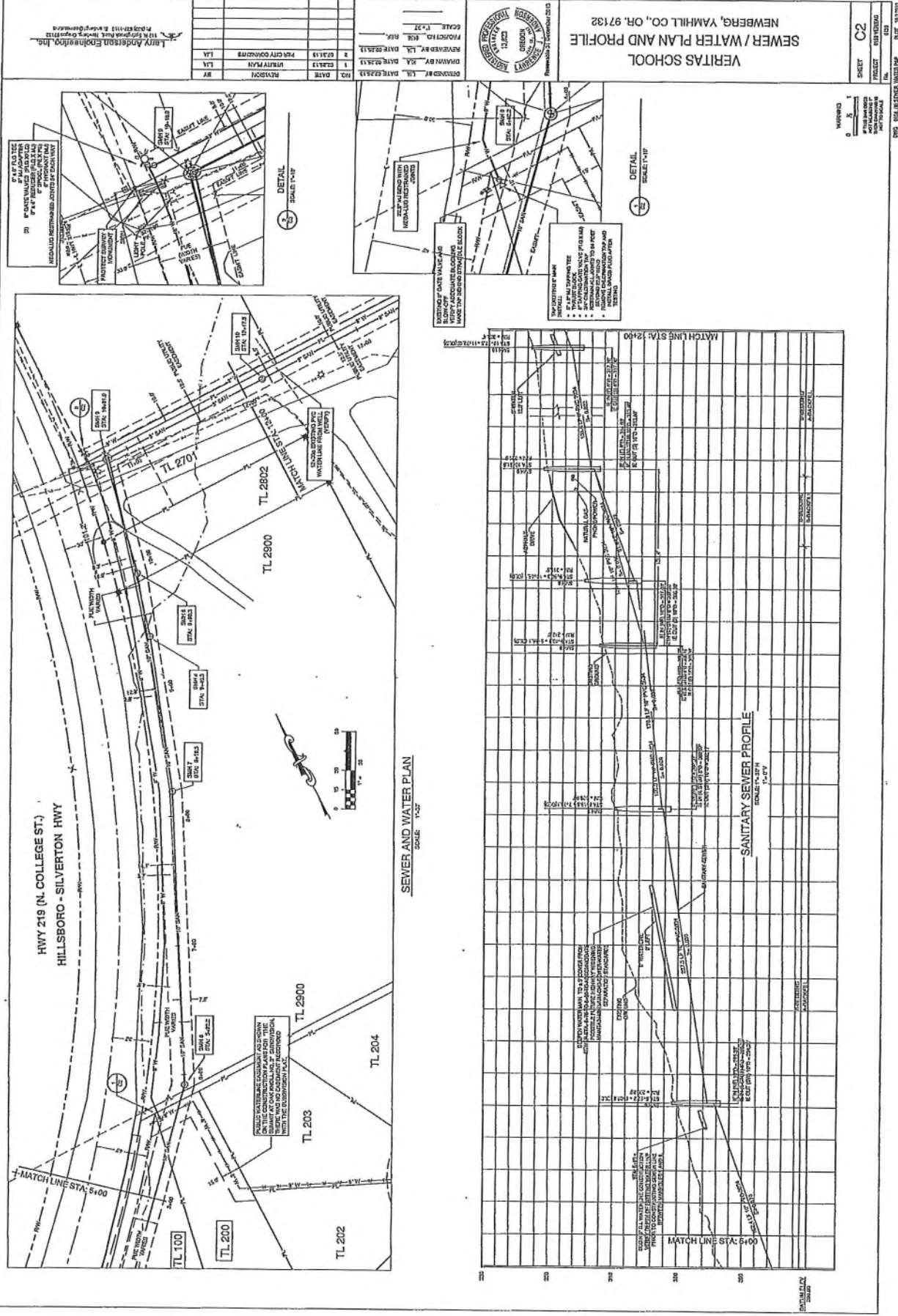
SPECIFIC REQUIREMENTS ARE ATTACHED

The application must include a current title report for the property. All property owners of the property must sign below.

Owners Signature: [Signature] Print Name: Bryan Lynch (Head of School) Address: 401 Mission Dr. Newberg

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. All owners must sign the application. Incomplete or missing information may delay the approval process.

Applicant/Title Holder/Contract Purchaser Signature: [Signature] Date: 6/3/2016 Print Name: Bryan Lynch (Head of School)





# Veritas School

SOLI DEO GLORIA

June 25, 2015

Brian Kershaw and Kaaren Hofmann,

As requested, here are the documents that represent our build-out cost for the sewer and water project. I have provided the check number and date of payment for each invoice. Please give me a call after you have reviewed these documents so that we can discuss the next steps to create an Advanced Financing Agreement. You can reach me on my cell phone at 503-312-6882 or by email at [mstice@veritasschool.net](mailto:mstice@veritasschool.net)

Thank You,

Mike Stice  
Director of Development  
Veritas School

Cell: 503-312-6882  
401 Mission Dr  
Newberg, OR 97132

**Installation Cost**  
**Veritas Sewer & Water Project**

Item	Description	Check Number	Date		
Raugust Excavation					
Material		296	9/10/13	Pd	Raugust Excavation - Equipment & Labor \$ 130,900.00
Material		298	10/7/13	Pd	Raugust - 1st Material Invoice #13411 Pd \$ 26,604.32
Material		301	10/27/13	Pd	Raugust - 2nd Material Invoice #13457 Pd \$ 45,465.04
Material		304	5/26/14	Pd	Raugust - 3rd Material Invoice #13489 Pd \$ 26,506.68
Material		306	8/21/14	Pd	Raugust - 4th Material Invoice #13714 Pd \$ 8,465.67
Material		314	11/20/14	Pd	Raugust - 5th Material Invoice # 13801 Pd \$ 8,781.00
					Raugust - 6th Material Invoice # 13923 Pd \$ 4,540.00
					Total Material Invoices Pd As Of 11/15 \$ 120,362.71
					Sewer and Water Installation Cost \$ 251,262.71
Civil Engineering Services		290	11/13/12	Pd	
Anderson Engineering		295	5/13/13	Pd	Invoice # 2882 Pd \$ 10,898.75
		299	10/4/13	Pd	Invoice # 2919 Pd \$ 3,935.00
		316	1/20/15	Pd	Invoice # 2963 Pd \$ 5,570.00
City of Newberg					Invoice # 3002 Pd \$ 1,194.00
					Engineering Project 1/20/15 \$ 21,598.00
			4/19/13	Pd	2% of \$183,174 bid submitted with plans \$ 3,663.00
			5/2/13	Pd	3% of \$183,174 bid submitted with plans \$ 5,495.00
					City Fees and Permits \$ 9,158.00
					Actual Project Cost \$ 282,018.71

# Invoice

RAUGUST EXCAVATING INC  
 PO BOX 267  
 NEWBERG, OR 97132

Bill To:
VERITAS CHRISTIAN SCHOOL
BELL RD SEWER AND WATER MAINS

Date	Invoice No.	P.O. Number	Terms	Project
09/10/13	13411			

Item	Description	Quantity	Rate	Amount
PIPE MATERIALS	PIPE MATERIALS FOR SEWER	1	17,648.41	17,648.41
CLEARING	CLEARING OF TREES FOR JOHN WORDINE AS PER AGREEMENT	1	525.00	525.00
MANHOLE	PARTIAL BILL FOR MANHOLES FOR SEWER LINE	1	5,495.00	5,495.00
ROCK	DELIVERED TO JOB SITE FOR SEWER LINE	1	2,935.91	2,935.91
<i>Pd check # 296</i>				
			Total	\$26,604.32

RAUGUST EXCAVATING INC  
 PO BOX 267  
 NEWBERG, OR 97132

# Invoice

OCT 17 2013

Bill To:
VERITAS CHRISTIAN SCHOOL
BELL RD SEWER AND WATER MAINS

Date	Invoice No.	P.O. Number	Terms	Project
10/07/13	13457			

Item	Description	Quantity	Rate	Amount
PIPE MATERIALS	PIPE MATERIALS FOR WATER	1	35,280.21	35,280.21
FILL MATERIAL	CDF FILL FOR MR WORDIN'S DRIVEWAY	1	500.00	500.00
MANHOLE	PARTIAL FOR MANHOLES FOR SEWER LINE	1	3,175.00	3,175.00
ROCK	DELIVERED TO JOB SITE FOR SEWER	1	6,509.83	6,509.83
<i>Pd check # 298</i>				
			<b>Total</b>	<b>\$45,465.04</b>

# Invoice

RAUGUST EXCAVATING INC  
 PO BOX 267  
 NEWBERG, OR 97132

Bill To:
VERITAS CHRISTIAN SCHOOL
BELL RD SEWER AND WATER MAINS

Date	Invoice No.	P.O. Number	Terms	Project
10/27/13	13489			

Item	Description	Quantity	Rate	Amount
MANHOLE	MATERIAL TO FINISH SEWER OVER BUDGET/BID \$2859 DUE TO ADDED MANHOLE AND CHANGED ELEVATIONS OF SEWER REQUIRING MORE MANHOLE RISERS	(A+B) = 1	4,817.00	4,817.00
CK	DELIVERED TO JOB SITE	(1+2) = 1	8,611.64	8,611.64
PIPE	REMAINDER OF PARTS FOR WATERLINE	(C+D+E) = 1	12,828.04	12,828.04
MATERIALS	FOR EROSION CONTROL REQUIRED BY CITY	1	250.00	250.00
STRAW				
			Total	\$26,506.68

*Must be paid 12/21/13*

*Pd Check # 301*



RAUGUST EXCAVATING INC  
 PO BOX 267  
 NEWBERG, OR 97132

# Invoice

MAY 28 2014

Bill To:
VERITAS CHRISTIAN SCHOOL
BELL RD SEWER AND WATER MAINS

Date	Invoice No.	P.O. Number	Terms	Project
05/26/14	13714			

Item	Description	Quantity	Rate	Amount
FIRE HYDRANTS		<del>MS-2</del> 2	3,350.67	3,350.67
WATER TAP		1	2,990.00	2,990.00
MANHOLE	MANHOLE LIDS	1	1,175.00	1,175.00
GRADE RINGS	GRADE RINGS FOR MANHOLE HEIGHTS	1	750.00	750.00
TEST PUMP	WATER LINE TEST PUMP RENT	1	200.00	200.00
<i>Pd check # 304</i>				
			<b>Total</b>	<b>\$8,465.67</b>

RAUGUST EXCAVATING INC  
 PO BOX 267  
 NEWBERG, OR 97132

# Invoice

Bill To:
VERITAS CHRISTIAN SCHOOL
BELL RD SEWER AND WATER MAINS

Date	Invoice No.	P.O. Number	Terms	Project
08/03/14	13801			

Item	Description	Quantity	Rate	Amount
MANHOLE	POUR MANHOLE CHANNELS	1	2,815.00	2,815.00
VIDEO	VIDEO TESTING OF SEWER LINES	1	1,191.95	1,191.95
VACUUM TESTING	VACUUM TESTING OF MANHOLES	1	1,650.00	1,650.00
PAVING	PAVING OF TRENCH LINES (LAST INVOICE FROM ME!)	1	3,125.00	3,125.00
<i>Pd check # 306</i>				
<i>8/11/14 OK Mike Steel</i>				
			Total	\$8,781.95

EXCAVATING INC  
 BOX 267  
 NEWBERG, OR 97132

# Invoice

Bill To:
VÉRITAS CHRISTIAN SCHOOL
BELL RD-SEWER AND WATER MAINS

Date	Invoice No.	P.O. Number	Terms	Project
11/20/14	13923			

Item	Description	Quantity	Rate	Amount
HYDROSEED	HYDROSEED APPROX 42,000 SQUARE/FEET OF GROUND FOR VERITAS PROPERTY	42,000	0.07	2,940.00
HYDROSEED	HYDROSEED APPROX 20,000 SQUARE/FEET OF GROUND FOR NORTH VALLEY FRIENDS CHURCH	20,000	0.08	1,600.00
<i>Pd check #. 314</i>				
Thank you for your business.			Total	\$4,540.00

JE 6-8  
 Invoice

RAUGUST EXCAVATING INC  
 PO BOX 267  
 NEWBERG, OR 97132

Bill To:
VERITAS CHRISTIAN SCHOOL
BELL RD SEWER AND WATER MAINS

Date	Invoice No.	P.O. Number	Terms	Project
07/17/14	13774			

Item	Description	Quantity	Rate	Amount
LABOR	WORK ON SITE INSTALLING WATER MAIN	1	14,300.00	14,300.00
EQUIPMENT	EQUIPMENT FOR INSTALLING WATER MAIN	1	32,100.00	32,100.00
	LABOR AND EQUIPMENT PROVIDED AS GIFT IN KIND FOR 2014			
			Total	\$46,400.00

RAUGUST EXCAVATING INC  
 PO BOX 267  
 NEWBERG, OR 97132

# Invoice

Bill To:
VERITAS CHRISTIAN SCHOOL
BELL RD SEWER AND WATER MAINS

Date	Invoice No.	P.O. Number	Terms	Project
12/31/13	13548			

Item	Description	Quantity	Rate	Amount
LABOR	WORK ON SITE INSTALLING SEWER MAIN	1	25,600.00	25,600.00
EQUIPMENT	EQUIPMENT FOR INSTALLING SEWER MAIN	1	58,900.00	58,900.00
	LABOR AND EQUIPMENT PROVIDED AS GIFT IN KIND FOR 2013			
			Total	\$84,500.00



**First American**

*First American Title Company of Oregon*  
825 NE Evans Street  
McMinnville, OR 97128  
Phn - (503)376-7363  
Fax - (866)800-7294

**YAMHILL COUNTY TITLE UNIT**  
FAX (866)800-7294

Title Officer: **Clayton Carter**  
(503)376-7363  
ctcarter@firstam.com

**LOT BOOK SERVICE**

Veritas School Attn: Mike Stice  
401 Mission Dr  
Newberg, OR 97132

Order No.: 1039-2664877  
June 01, 2016

Attn: Mike Stice  
Phone No.: - Fax No.:  
Email: mstice@veritasschool.net

Re:

Fee: \$125.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of 05/27/2016 at 8:00 a.m.

We find that the last deed of record runs to

Veritas School, an Oregon non-profit corporation.

We find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

NONE

1. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.  
(Affects Parcel 1)
2. Easement as shown on the recorded plat/partition  
For: Ten foot public waterline easement  
Affects: Parcel 1
3. Easement as shown on the recorded plat/partition

*First American Title*

For: Fifteen foot pedestrian access  
Affects: Parcel 2

4. Easement as shown on the recorded plat/partition  
For: Fifteen foot public utility easement  
Affects: Parcel 2

5. Easement, including terms and provisions contained therein;  
Recording Information: September 24, 2013, Instrument No. 201315145, Deed and Mortgage Records  
In Favor of: City of Newberg, a municipal corporation  
For: public utility

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We find the following unpaid taxes and city liens: NONE

NOTE: Taxes for the year 2015-2016 PAID IN FULL

Tax Amount: \$599.51  
Map No.: R3208BC 00200  
Property ID: 25877  
Tax Code No.: 29.0

NOTE: Taxes for the year 2015-2016 PAID IN FULL

Tax Amount: \$95.98  
Map No.: R3208BC 00100  
Property ID: 515917  
Tax Code No.: 29.0

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

PARCEL 1:

Parcel 2 of Partition Plat 99-49, recorded December 14, 1999 as Instrument No. 199924034, Deed and Mortgage Records, Yamhill County, Oregon.

PARCEL 2:

Tract "A", THE SUMMIT AT OAK KNOLL NO. 3, in the City of Newberg, Yamhill County, Oregon.

NOTE: This Legal Description was created prior to January 01, 2008.

*First American Title*

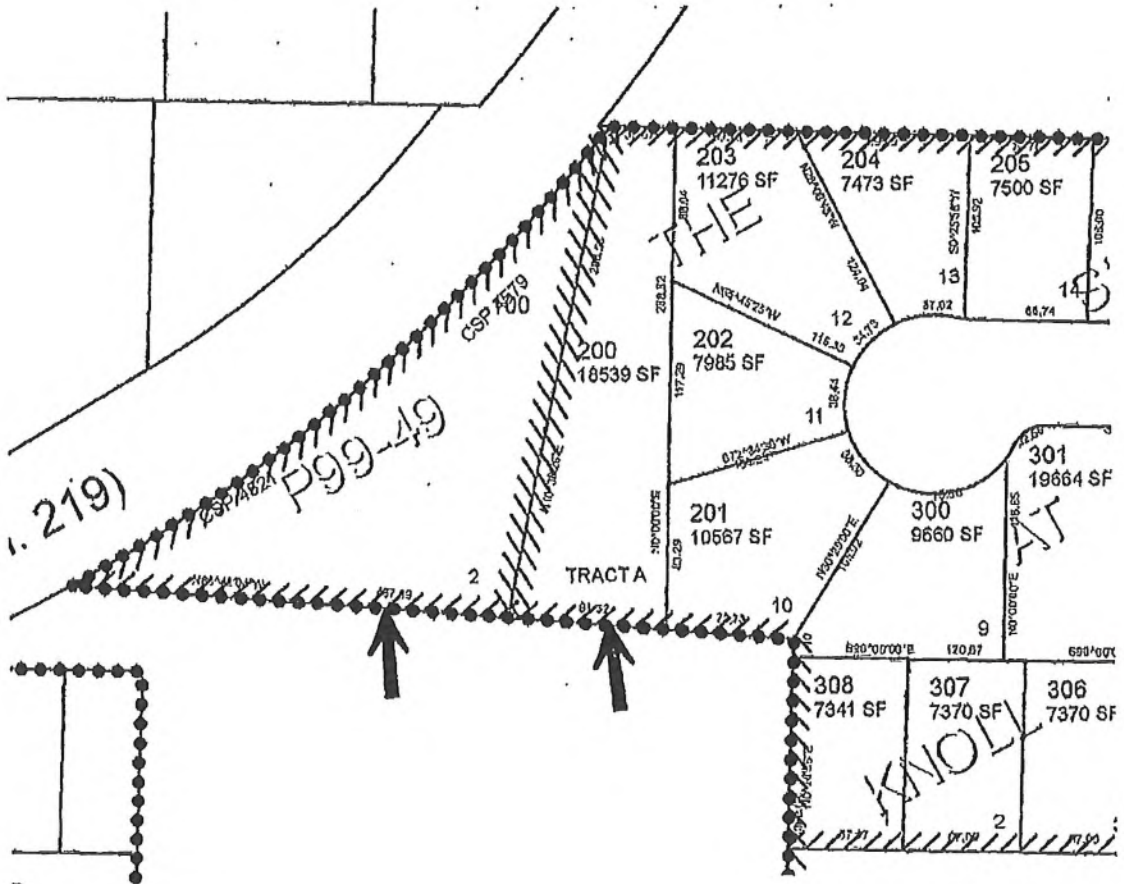




First American



This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey



Appendix C. Project Costs for the Public Wastewater and Water Lines

		Water	Wastewater	Total
<b>City Permit and Review Fees*</b>		\$4,141	\$5,017	\$9,158
<b>Materials:</b>	<b>Invoice</b>			
Wastewater Line Materials (pipe)	13411	\$-	\$17,648	\$17,648
Manholes	13411	\$-	\$5,495	\$5,495
Rock	13411	\$-	\$2,936	\$2,936
Water Line Materials (pipe materials)	13457	\$35,280	\$ -	\$35,280
Manholes	13457	\$-	\$3,175	\$3,175
Rock	13457	\$ -	\$6,510	\$6,510
Wastewater Line Materials	13489	\$ -	\$4,817	\$4,817
Rock	13489	\$ 8,612	\$ -	\$8,612
Water Line Materials (pipe materials)	13489	\$12,828	\$ -	\$12,828
Erosion Control	13489	\$125	\$125	\$250
Fire Hydrants	13714	\$3,351	\$ -	\$3,351
Manhole Lids	13714	\$ -	\$1,175	\$1,175
Manhole Rings	13714	\$ -	\$750	\$750
Water Line Test Equipment	13714	\$200	\$ -	\$200
Manhole Pour	13801	\$ -	\$2,815	\$2,815
Wastewater Line Video	13801	\$ -	\$1,192	\$1,192
Wastewater Line Vacuum Test	13801	\$ -	\$ 1,650	\$1,650
Trenchline Paving	13801	\$ 1,562	\$ 1,562	\$3,124
Erosion Control Hydroseed Veritas	13923	\$1,470	\$1,470	\$2,940
Erosion Control Hydroseed NVF Church	13923	\$800	\$800	\$1,600
<b>Donated Expenses</b>				
Installation of Water Line – Labor	13774	\$ 14,300	\$ -	\$ 14,300
Installation of Water Line – Equipment	13774	\$ 32,100	\$ -	\$ 32,100
Installation of Wastewater Line – Labor	13548	\$ -	\$ 25,600	\$ 25,600
Installation of Wastewater Line – Equipment	13548	\$ -	\$ 58,900	\$ 58,900
<b>Easement-Negotiated Expenses</b>				
Tree Clearing for John Wordin	13411	\$ -	\$ 525	\$ 525
Driveway Fill for John Wordin	13457	\$ -	\$ 500	\$ 500
Water Tap for North Valley Friends Church	13714	\$ 2,990	\$ -	\$ 2,990
<b>Total Project Cost</b>		<b>\$117,759</b>	<b>\$142,662</b>	<b>\$ 260,421</b>
<b>Engineering Services**</b>		<b>\$ 9,766</b>	<b>\$11,832</b>	<b>\$ 21,598</b>
<b>Total Cost</b>		<b>\$ 127,525</b>	<b>\$ 154,494</b>	<b>\$ 282,019</b>

\*Proportional Cost

\*\*Engineering Services = 15% of Project Cost, Not to Exceed Actual Cost of \$21,598

**Appendix D. Proportionate Costs for the Public Water and Wastewater Lines**

Tax Lot		Site Address	Owner	Acres	Water	Wastewater	Total Cost
R3208	02800						
R3208	02700						
R3208	02802						
R3208	02701		North Valley				
R3208	02703	4020 N College St	Friends Church	19.0	\$ 83,338	\$ 87,103	\$ 170,441 *
R3208	02702						
R3208BC	00100						
R3208BC	00200		Veritas	5.7	\$ 21,896	\$ 26,131	\$ 48,027 *
R3208	02900	4016 N College St	Bill Rourke	2.3	\$ 10,029	\$ 10,498	\$ 20,527 *
R3207AD	00700	3720 N College St	John Wardin	2.6	\$ -	\$ 12,011	\$ 12,011 *
R3207AA	00200	4009 N College St	DebraLyn Evans	0.8	\$ 3,503	\$ 3,668	\$ 7,171
R3207AA	00300	3993 N College	Jim Fettig	1.2	\$ 5,255	\$ 5,501	\$ 10,756
R3207AA	00400	3909 N College St	Jerry Brown	0.8	\$ 3,503	\$ 3,668	\$ 7,171
R3207AD	00100	3855 N College St	John Milroy	0.8	\$ -	\$ 3,484	\$ 3,484
R3207AD	00200	3735 N College St	Larry McWilliams	0.5	\$ -	\$ 2,430	\$ 2,430
<b>Total</b>					<b>\$ 127,525</b>	<b>\$ 154,494</b>	<b>\$ 282,019</b>

\* Properties exempted through the easement agreements or are owned by Veritas School

## Appendix E. Draft Advance Financing Agreement

AFTER RECORDING RETURN TO:

City of Newberg – Public Works Department

PO Box 970 – 414 East First Street

Newberg, OR 97132

503.554.7705

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# *ADVANCE FINANCING AGREEMENT*

(NEWBERG MUNICIPAL CODE SECTION 3.20)

THIS AGREEMENT is entered into this 18<sup>th</sup> day of April 2017 by and between the City of Newberg, a municipal corporation of the State of Oregon, hereinafter called “City”, and Veritas School, hereinafter called “Developer”. This agreement was authorized by the City Council on April 17, 2017 by Resolution No. 2017-3357.

### RECITALS:

1. Developer constructed public improvements further described as an 8-inch public water mainline and a 10-inch public wastewater mainline. These improvements shall remain the sole property of the City.
2. Said public improvement will benefit not only Developer’s property but other adjoining properties as well. Those benefitted properties should reimburse their fair share of the cost of those public improvements.
3. Developer shall guarantee the advanced financed public improvement until June 11, 2017.
4. Developer shall be entitled to reimbursement from properties connecting to the afore-described public improvement in the manner and to the amount prescribed in this agreement. The reimbursement shall be based upon actual costs which were determined to be \$282,019.

5. Exhibit A, attached hereto and by reference incorporated herein, shows the properties that are obligated to reimburse the Developer.
6. Exhibit B, attached hereto and by reference incorporated herein, sets forth in the amounts assigned to each property that benefits from the public improvements. The amounts in Exhibit B are in addition to any required connection charges, including but not limited to, permits and City assessments.
7. The reimbursement obligation shall be due and payable by the intervening property owners upon their application for a Site Development Permit for development activities which include a connection(s) to the public improvement(s).
8. The City shall transfer any reimbursements received by intervening property owners within 90 days of receiving the reimbursement.
9. The developer acknowledges that the city is not obligated to collect the advance financed reimbursement from any intervening property owner.
10. The developer shall defend, indemnify, and hold harmless the City from any and all losses, claims, damages, judgments, or other costs and expenses associated with the advance financed resolution and agreement, including any city costs, expenses, and attorneys' fees related to the collection of the reimbursement fee should the City Council decide to pursue collection of an unpaid reimbursement fee.
11. This agreement shall be for a ten (10) year period from the date the Council enacts the Reimbursement Resolution.
12. The Developer may request that the City Council authorize reimbursement for an additional term that does not go beyond June 11, 2035. The request must be made between 6 months (October 18, 2026) and 1 year prior (April 18, 2026) to the end of the first 10 year term. The City Council has the discretion to approve or deny the request and shall consider the condition of the improvement, the public interest, and the interest of the City.
13. This agreement shall be recorded in the Yamhill County Deed Records with Developer paying all recording costs and fees.
14. This agreement is an instrument affecting the title or possession of the property. It shall be binding upon the property and the successors of interest of the City and shall act as a covenant and restriction running with the land.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first set forth above.

STATE OF OREGON )

)s.s.

County of \_\_\_\_\_)

**OWNER**

«Owner\_1\_Full\_Name»

This instrument was acknowledged before me this day of \_\_\_\_\_ 2017 by «Owner\_1\_Full\_Name».

\_\_\_\_\_

Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

STATE OF OREGON )

)s.s.

County of \_\_\_\_\_)

**OWNER**

«Owner\_2\_Full\_Name»

This instrument was acknowledged before me this day of \_\_\_\_\_ 2017 by «Owner\_2\_Full\_Name».

---

Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

CITY OF NEWBERG APPROVED AS TO FORM AND CONTENT

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Joe Hannan, City Manager

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Truman A. Stone, City Attorney

## EXHIBIT A

### Legal Description of Properties Benefitting from the Public Improvements

Tax Lot	Property Description
<b>R3208 02900</b>	<p><b>Instrument No. 2005-2945</b></p> <p>Beginning at an iron pipe at the East boundary of Hillsboro-Silverton Highway, said point being South 00°02.5' East 1320.0 feet and East parallel to the North boundary of Section 8, a distance of 869.85 feet from the Northwest corner of William T. Wallace Donation Land Claim, Township 3 South, Range 2 West of the Willamette Meridian, Yamhill County, Oregon; thence East parallel to the North boundary of Section 8, a distance of 355.13 feet to an iron pipe; thence North 00°02.5' West parallel to the West boundary of Donation Land Claim, 405.73 feet; thence West parallel with South boundary, distance of 178 feet, more or less, to the East boundary of State Highway; thence Southwesterly along State Highway, a distance of 447 feet, more or less to the place of beginning. ALSO a non-exclusive easement for roadway purposes over a strip of land described as follows: Beginning at the most Northwest corner of the above described tract; thence East 60 feet; thence North 00°02.5' West 60 feet; thence West 50 feet, more or less to the Easterly boundary of Hillsboro-Silverton Highway; thence Southwesterly along the Easterly boundary of said Highway, 60 feet, more or less, to the place of beginning.</p>
<b>R3207AA 00200</b>	<p><b>Instrument No. 2015-8292</b></p> <p>A tract of land in the William T. Wallace Donation Land Claim in Sections 7 and 8 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: BEGINNING at the Northwest corner of said Claim; and running thence South along the Claim line a distance of 80 rods; thence East 43.85 rods to the Southwest corner of that certain tract conveyed to J.H. Peters and Ada Peters by deed from George Livingston recorded December 24, 1924 in Book 91, Page 291, Deed Records; thence North 260 feet to the Northwest corner of that certain tract of land conveyed to J.H. Peters, et ux to Lawrence C. Fran, et ux by deed recorded December 16, 1952 in Book 168, Page 148, Deed Records; thence North along the West line of the Peters tract, 200 feet to the True Place of Beginning; thence North 125.2 feet; thence East 281.8 feet to the West right of way of the Newberg-Hillsboro Highway; thence Southerly along the right of way 125.3 feet to a point East of the point of beginning; thence West 275.7 feet to the Place of Beginning. ALSO a tract of land located in Section 3, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows: All that tract of land described in deed to David A. Sprecher and Janice L. Sprecher in Film Volume 113, Page 1991, Yamhill County Deed Records, lying northerly of the following described line: Commencing</p>



	<p>at an iron rod at the northeast corner of Lot 13 of CHEHALEM TERRACE SUBDIVISION; thence North 00°03'00" East 10.01 feet to an iron rod; thence North 00°09'18" East 12.00 feet to an iron rod and the True Point of Beginning; thence South 85°02'13" East 272.03 feet to a point on the west margin of College Street (Oregon State Highway No. 219) that is 35.00 feet distance from, when measured at right angles to the centerline of said street, from which an iron rod bears South 85°02'13" East 5.01 feet. TOGETHER WITH an easement for access and utilities purposes, 30 feet in width, lying 15 feet each side of the following described line: Commencing at an iron rod at the northeast corner of Lot 13 of CHEHALEM TERRACE SUBDIVISION; thence North 00°03'00" East 10.01 feet to an iron rod; thence North 00°09'18" East 12.00 feet to an iron rod; thence South 85°02'13" East 246.83 feet to the True Point of Beginning; thence South 10°51'39" East 53.04 feet; thence South 32°06'45" East 15.65 feet to a point on the west margin of College Steet (Oregon State Highway No. 219) and the end of said described line, the sidelines of said easement to extend and shorten with said west margin.</p>
<p><b>R3207AA 00300</b></p>	<p><b>Instrument No. 2015-17859</b> A tract of land in the William T. Wallace Donation Land Claim in Section 8 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows, to-wit: Beginning at the Northwest corner of said Claim; and running thence South along the Claim line, a distance of 80 rods; thence East 43.85 rods to the Southwest corner of that certain tract conveyed to J.H. Peters et ux., by Deed from George Livingston, recorded December 24, 1924 in Book 91, Page 291, Deed Records; thence North 260 feet to the Northwest corner of that certain tract of land conveyed by J.H. Peters ex ux. to Lawrence C. Frank et ux., by Deed recorded December 16, 1952 in Book 168, Page 148, which point is the True Point of Beginning of the tract herein described; thence North along the West line of the Peters tract, a distance of 325.2 feet; thence East 287.3 feet to a point on the West line of the Hillsboro-Newberg Highway; thence Southerly along the West line of said Highway to the Northeast corner of the Frank property above referred to; thence West along the North line of the Frank property 232.8 feet to the Point of Beginning. SAVE AND EXCEPTING THEREFROM that portion conveyed to Michael D. Tilden and Deborah L. Tilden, as tenants by the entirety, by Deed recorded July 3, 2008, as Instrument No. 200811466, Deed and Mortgage Records of Yamhill County, Oregon. FURTHER SAVE AND EXCEPTING THEREFROM that portion conveyed to Michael D. Tilden and Deborah Tilden, as tenants by the entirety, by Deed recorded June 12, 2015, as Instrument No. 201508291, Deed and Mortgage Records of Yamhill County, Oregon.</p>
<p><b>R3207AA 00400</b></p>	<p><b>Instrument No. 307-1229</b> Part of the William T. Wallace D.L.C. #47 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows: Beginning 80 rods South and 43.85 rods East of the Northwest corner of said Claim; thence East</p>

	<p>80 feet to the West margin of the county road for the true place of beginning; thence West 80 feet to the Southwest corner of the J.M. Peters tract; thence North 260 feet; thence East 250 feet to the West margin of said road; thence Southwesterly along the road to the true place of beginning. EXCEPT that portion conveyed to State of Oregon by and through its State Highway Commission by deed recorded January 30, 1956 in Book 179, Page 499, Deed Records. FURTHER EXCEPTING the West 8.48 feet of even width.</p>
<p><b>R3207AD 00100</b></p>	<p><b>Instrument No. 2015-17074</b> Part of the William T. Wallace D.L.C. #47 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning at a point 20.10 chains South and 622 feet South 89°59' East from the Northwest corner of said claim; thence North 6.6 feet more or less, to a point on the South line of Lot 14 in Chehalem Terrace Subdivision in Yamhill County, Oregon; thence East along said South line extended 178.0 feet, more or less, to a point on the Westerly right of way line of State Highway #219; thence Southwesterly along said right of way line 9.30 feet, more or less, to a point that is South 89°59' East of the point of beginning; thence North 89°59' West 165.43 feet to the place of beginning.</p>
<p><b>R3207AD 00200</b></p>	<p><b>Instrument No. 2015-13030</b> Part of the William T. Wallace Donation Land Claim No. 47 in Township 3 South, Range 3 West, Willamette Meridian, in Yamhill County, Oregon, described as follows: Beginning at the Northwest corner of said Claim; thence South 20.10 chains to an iron rod set in Yamhill County Survey P-4677; thence South 89 deg. 55 min. East 521.68 feet to an iron rod set South 6.6 feet from South line of Chehalem Terrace Subdivision; thence South 00 deg. 00 min. 48 sec. West 216.08 feet to an iron rod set in the line of the Northerly right-of-way of the Hillsboro to Silverton Highway; thence Southwesterly along the Highway to a point on the Northeasterly line of a dedicated public road described in Book 19 Page 990, thence Northwesterly along the right-of-way to the Northeast corner, thence West along the right-of-way 33.83 feet to the East line of Parcel one of that tract of land conveyed to Harold Severson, et al by deed recorded October 31, 1994 in film Volume 318, Page 791, thence North along the Severson tract 150 feet to the Northeast corner thereof; thence south 89 deg. 55 min. East to the point of beginning.</p>
<p><b>R3208 02700</b></p>	<p><b>Instrument No. 2006-25768</b> Part of the William T. Wallace Donation Land Claim #47, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian Yamhill County, Oregon, described as follows: Beginning at a point 80 rods South and 116 rods East of the Northwest corner of said Wallace Donation Land Claim, said point being</p>

	<p>situated on the North line of a certain tract of land conveyed to Lloyd A. Petrie and wife by deed recorded November 1, 1950 in Book 159, Page 465, Deed Records, said point also being the Southwest corner of a certain tract of land conveyed to Earl E. Walker and wife by deed recorded March 16, 1954 in Book 172, Page 579, Deed Records,; thence North 80 rods along the West line of said Walker tract; thence West 41.60 rods to the Northeast corner of a certain tract of land conveyed to J.H. Peters and wife by deed recorded December 24, 1924 in Book 91, Page 291, Deed Records; thence South 80 rods along the East line of said Peters tract to the Southeast corner of said Peters tract; thence East 42.40 rods to the place of beginning. SAVE AND EXCEPT that portion of the above describe real property to J. William Rourke, Jr., Paul Strait and Al Lehman by warranty deed recorded May 12, 1972, in Film Volume 89 on Page 700, Deed and Mortgage Records, Yamhill County, Oregon. SAVE AND EXCEPT that portion in Deed recorded March 1, 2005 as Instrument No. 200504184, Deed and Mortgage Records, Yamhill County, Oregon</p>
<p><b>R3208 02800</b></p>	<p><b>Instrument No. 2006-25768</b> Being a part of the William T. Wallace Donation Land Claim #47, Notification No. 1477, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian Yamhill County, Oregon, the beginning point for land conveyed being 80 rods South and 64.60 rods East of the Northwest corner of said William t. Wallace Donation Land Claim; thence East 10 rods; thence North 80 rods; thence West 10 rods; thence South 80 rods to the place of beginning. EXCEPTING THEREFROM the tract conveyed to Harlin M. Huffman and wife by deed recorded September 18, 1968 in Film Volume 72, Page 644, Deed and Mortgage Records, Yamhill County, Oregon. SAVE AND EXCEPT that portion of the above describe real property to J. William Rourke, Jr, Paul Strait and Al Lehman by warranty deed recorded May 12, 1972, in Film Volume 89 on Page 700, Deed and Mortgage Records, Yamhill County, Oregon.</p>
<p><b>R3208 02702</b></p>	<p><b>Instrument No. 2005-4185</b> A tract of land in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows: Beginning at a point that is South 80 rods (1320.00 feet) and East 116 rods (1914.00 feet) from the Northwest corner of the William T. Wallace Donation Land Claim No. 47; thence North 465.46 feet to the TRUE PONT OF BEGINNING; thence North 422.17 feet; thence North 89°56'45" West 515.74 feet; thence south 422.17 feet; thence South 89°56'45" East 515.74 feet to the true point of beginning.</p>
<p><b>R3208 02802</b></p>	<p><b>Instrument No. 90-176</b> A tract of land in the William T. Wallace Donation Land Claim #47 in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning 64.60 rods East of the Northwest corner of the William T. Wallace Donation Land Claim in said Section,</p>

	Township and Range; thence East 105 feet; thence South 105 feet; thence West 105 feet; thence North 105 feet to the place of beginning.
<b>R3208 02701</b>	<b>Instrument No. 90-176</b> A tract of land in the William T. Wallace Donation Land Claim #47 in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows: Beginning at a point on the Easterly margin of State Secondary Highway #219 (Hillsboro-Silverton Highway) 1320 feet South and 869.85 feet East of the Northwest corner of said Donation Land Claim; thence East 355.13 feet to the true point of beginning, said point also being the Southeast corner of that certain tract of land conveyed to Harlin M. Huffman, et ux, by deed recorded September 18, 1968 in Film Volume 72, Page 644, Deed and Mortgage Records; thence East parallel to the North line of Section 8, a distance of 400 feet; thence North 00°02.5' West 465.73 feet ; thence West 580 feet, more or less, to the Easterly margin of said highway; thence Southwesterly along said Easterly margin, 60 feet, more or less, to the Northwest corner of said Huffman tract; thence East along the North line of said Huffman tract, 178 feet to the Northeast corner thereof; thence South 00°02.5' East along the East line of said Huffman tract, 405.73 feet to the true place of beginning.
<b>R3208 02703</b>	<b>Instrument No. 2006-25768</b> Part of the William T. Wallace Donation Land Claim #47, in Sections 7 and 8, Township 3 South, Range 2 West of the Willamette Meridian Yamhill County, Oregon, described as follows: Beginning at a point 80 rods South and 116 rods East of the Northwest corner of said Wallace Donation Land Claim, said point being situated on the North line of a certain tract of land conveyed to Lloyd A. Petrie and wife by deed recorded November 1, 1950 in Book 159, Page 465, Deed Records, said point also being the Southwest corner of a certain tract of land conveyed to Earl E. Walker and wife by deed recorded March 16, 1954 in Book 172, Page 579, Deed Records;; thence North 80 rods along the West line of said Walker tract; thence West 41.60 rods to the Northeast corner of a certain tract of land conveyed to J.H. Peters and wife by deed recorded December 24, 1924 in Book 91, Page 291, Deed Records; thence South 80 rods along the East line of said Peters tract to the Southeast corner of said Peters tract; thence East 42.40 rods to the place of beginning. SAVE AND EXCEPT that portion of the above describe real property to J. William Rourke, Jr., Paul Strait and Al Lehman by warranty deed recorded May 12, 1972, in Film Volume 89 on Page 700, Deed and Mortgage Records, Yamhill County, Oregon. SAVE AND EXCEPT that portion in Deed recorded March 1, 2005 as Instrument No. 200504184, Deed and Mortgage Records, Yamhill County, Oregon.
<b>R3207AD 00700</b>	<b>Instrument No. 2013-393</b> A part of the donation Land Claim of William T. Wallace, being Claim No. 47 in Township 3 South of Range 2 West of the Willamette Meridian in Yamhill County,

State of Oregon, and said part being more particularly bounded and described as follows: Beginning at a point on the West boundary line of said Claim, 30.10 chains South of the Northwest corner of said Claim; thence running South 89°55' East 22 chains; thence running North 10 chains; thence running North 89°55' West to a point on the East Boundary line of the Highway right of way conveyed to Yamhill County, Oregon by deed duly recorded and now of record in Volume 105 at page 507 of Deed Records of Yamhill County, Oregon; thence running in a Southwesterly direction following the East boundary line of said highway right of way to a point in the center of the present market Road No. 22 and on the West boundary line of said Donation Land Claim; and thence running south on the West boundary line of said Donation Land Claim to the place of beginning. EXCEPT that portion conveyed to the State of Oregon by and through its State Highway Commission by deed recorded February 8, 1956, in Book 179, Page 606, Deed Records and ALSO EXCEPTING that portion conveyed to Earl E. Sandager and wife by deed recorded April 17, 1957 in Book 184, Page 78, Deed Records. ALSO EXCEPTING Beginning at an iron pipe set South 1980 feet and South 89°39' East 989.5 feet from the Northwest corner of the William T. Wallace Donation Land Claim in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon; thence South 89°39' East a distance of 462.5 feet; thence North 359 feet to the Southeast corner of the tract conveyed to Earl E. Sandager et ux by deed recorded April 18, 1957 in Book 184, Page 78; thence Westerly along the South line of the Sandager tract a distance of 460.38 feet ; thence South 00°22' West a distance of 368.64 feet to the place of beginning. FURTHER EXCEPTING Beginning at a point on the West line of the William T Wallace Donation Land Claim in Section 8, Township 3 South, Range 2 West of the Willamette Meridian, Yamhill County, Oregon, and being 30 chains South of the Northwest corner of said claim; thence South 89°39' East 989.5 feet to an iron pipe at the true point of beginning for this tract description; thence North 00°22' East 60 feet to an iron pipe; thence North 89°39' West 376.63 feet to an iron pipe; thence North 00°36' East 282.11 feet to an iron pipe; thence North 89°39' West 150.26 feet to the Southeasterly margin of State Highway No. 219; thence South 61°58' West along said Highway margin a distance of 217.5 feet; thence on a curve to the left on said highway margin to a point 50 feet East of the West line of said Wallace Claim; thence south 89°39' East 939.5 feet to the true point of beginning.

## EXHIBIT B

### Properties Obligated to Reimburse Developer and the Reimbursement Amounts

Tax Lot		Site Address	Owner	Mailing Address	Water	Wastewater	Total to be Reimbursed
R3208	02900	4016 N College St	Bill Rourke	1201 Fulton St #13, Newberg, OR 97132	\$ -	\$ -	\$ -
R3207AA	00200	4009 N College St	DebraLyn Evans	4009 N College St, Newberg, OR 97132	\$ 3,503	\$ 3,668	\$ 7,171
R3207AA	00300	3993 N College St	Jim Fettig	PO Box 1381, Tualatin, OR 97062	\$ 5,255	\$ 5,501	\$ 10,756
R3207AA	00400	3909 N College St	Jerry Brown	1180 SW 9 <sup>th</sup> St, Dundee, OR	\$ 3,503	\$ 3,668	\$ 7,171
R3207AD	00100	3855 N College St	John Milroy	17890 Kings Grade, Newberg, OR 97132	\$ -	\$ 3,484	\$ 3,484
R3207AD	00200	3735 N College St	Larry McWilliams	1826 Carol Ann Dr, Newberg, OR 97132	\$ -	\$ 2,430	\$ 2,430
R3208	02700	4020 N College St	North Valley Friends Church*	4020 N College St, Newberg, OR 97132	\$ -	\$ -	\$ -
R3208	02800	4020 N College St	North Valley Friends Church*	4020 N College St, Newberg, OR 97132	\$ -	\$ -	\$ -
R3208	02802	4020 N College St	North Valley Friends Church*	4020 N College St, Newberg, OR 97132	\$ -	\$ -	\$ -
R3208	02701	4020 N College St	North Valley Friends Church*	4020 N College St, Newberg, OR 97132	\$ -	\$ -	\$ -
R3208	02703	4020 N College St	North Valley Friends Church*	4020 N College St, Newberg, OR 97132	\$ -	\$ -	\$ -
R3207AD	00700	3720 N College St	John Wardin*	3720 N College St, Newberg, OR 97132	\$ -	\$ -	\$ -
<b>Total</b>					<b>\$ 12,261</b>	<b>\$ 18,751</b>	<b>\$ 31,012</b>

\* Adjustment made by applicant at the request of the property owner

Interest may apply on the above amounts. Contact the City of Newberg (503.537.1240) at the time of connection(s) to the public improvement(s) for the exact amount.

**Appendix F. Easement Agreements**



# Veritas School

SOLI DEO GLORIA

NV FRIENDS


MEMO: July 29, 2013

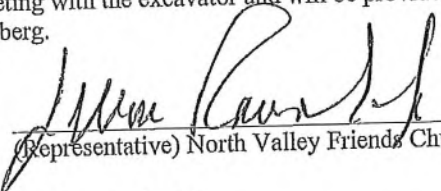
## VERITAS AGREEMENT WITH NORTH VALLEY FRIENDS CHURCH

### TERMS AND CONDITIONS FOR GRANTING A PUBLIC SEWER EASEMENT TO THE CITY OF NEWBERG ACROSS THE PROPERTY OF NORTH VALLEY FRIENDS CHURCH.

In exchange for North Valley Friends Church agreement to provide the sewer easement identified on the engineering drawings of Larry Anderson Engineering as approved by the City of Newberg and depicted in attached Exhibit A, Veritas school agrees to the following:

1. A lateral will be added to the plan that will allow water access for a home that is tentatively planned below the Veritas parking lot. It will be in about the same location as the existing lateral shown for the sewer hookup. *In addition, a 3/4 "corp stop will be added for the house and a water tap and valve for the church property. The size and location to be determined.*
2. The plan will show a site for a possible driveway to the home.
3. Veritas School is responsible for all costs associated with constructing the sewer and water main across North Valley Friends Church property. Should Veritas School request that the City of Newberg form an Advance Financing or Reimbursement District so as to recover some of Veritas' cost for construction of the sewer main from future users and other benefiting properties, Veritas agrees that North Valley Friends Church property shall be exempt from making a reimbursement payment. This applies to the costs of construction of the main line sewer and water by Veritas, only. North Valley Friends Church understands that they will be responsible to pay City fees and construction costs associated with the future extension of the sewer and water into their property for service to their church location or other buildings considered as part of the development of their property.
4. Veritas School has had the planned route flagged and we will flag any trees that will be potentially harmed by the excavation.
5. Veritas will provide and maintain the minimum legal separation distances for the water and sewer.
6. The back fill for the trench will be compacted appropriately to minimize settling, especially where the driveway is impacted. The applicable DEQ Health Department and Newberg Public Standard Sewer and water specifications have been followed.
7. The Veritas plan for bringing other utilities (gas, electric, cable, etc.) will use either the existing road easement or the new utility easement and not another easement to be requested later.
8. Veritas School will provide advance notice when there may be an interruption in any services and the contractor will repair any damage done as quickly as possible.
9. Veritas School will assure North Valley Friends Church that any disruption of the area near the Church's existing sign will be returned to the original configuration or to your satisfaction
10. The final grading of all the excavation will be such that re-seeding as lawn or the planting of trees will be accommodated, especially in the area where the school parking lot and building site interface with North Valley Friends Church property. *All excavation mentioned above will be seed ready by Sept. 15, 2013 and planted by Oct. 15, 2013. Contractor will insure that there will not be any open trenches when he is not working on site.*
11. North Valley will be assured of having a pre-construction meeting with the excavator and will be provided with at least one week's notice of any meeting scheduled with the City of Newberg.

  
Mark Hall, Veritas Chairman of the Board      7/29/13      Date

  
(Representative) North Valley Friends Church      7-29-13      Date



**AFTER RECORDING RETURN TO:**  
City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

**PUBLIC UTILITY EASEMENT**

In consideration of the sum of \$0.00 and other valuable consideration, NORTH VALLEY FRIENDS CHURCH, AN OREGON NON-PROFIT CORPORATION, herein called Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a public sanitary sewer line and a public water line and across the following described real property:

Situated in the William T. Wallace Donation Land Claim #47, in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon;

A strip of land 10 feet in width, across that certain tract of land conveyed to North Valley Friends Church by deed recorded in Instrument #200625768, Yamhill County Deed Records, said easement as depicted on map marked Exhibit A:

**TO HAVE AND TO HOLD** said easement to said Grantee, for the use and purpose herein above described.

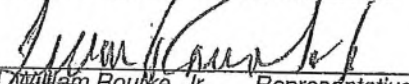
It is further understood that:

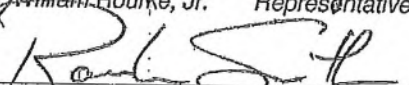
1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and further absolves the Grantee from any damage not controlled by their actions.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

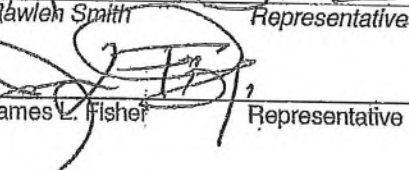
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the parties have executed this document on this 28 day of July 2013

**NORTH VALLEY FRIENDS CHURCH**

  
\_\_\_\_\_  
William Rourke, Jr. Representative

  
\_\_\_\_\_  
Rawlen Smith Representative

  
\_\_\_\_\_  
James L. Fisher Representative

**AFTER RECORDING RETURN TO:**  
City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

STATE OF Oregon }  
County of Washburn } s.s.

This instrument was acknowledged before me this 28<sup>th</sup> day of July, 13, by J. William Rourke, Jr., Rawlen Smith and James L. Fisher.

Janet L. Winder Janet L. Winder  
Notary Public for Oregon  
My Commission expires: 5/6/2017

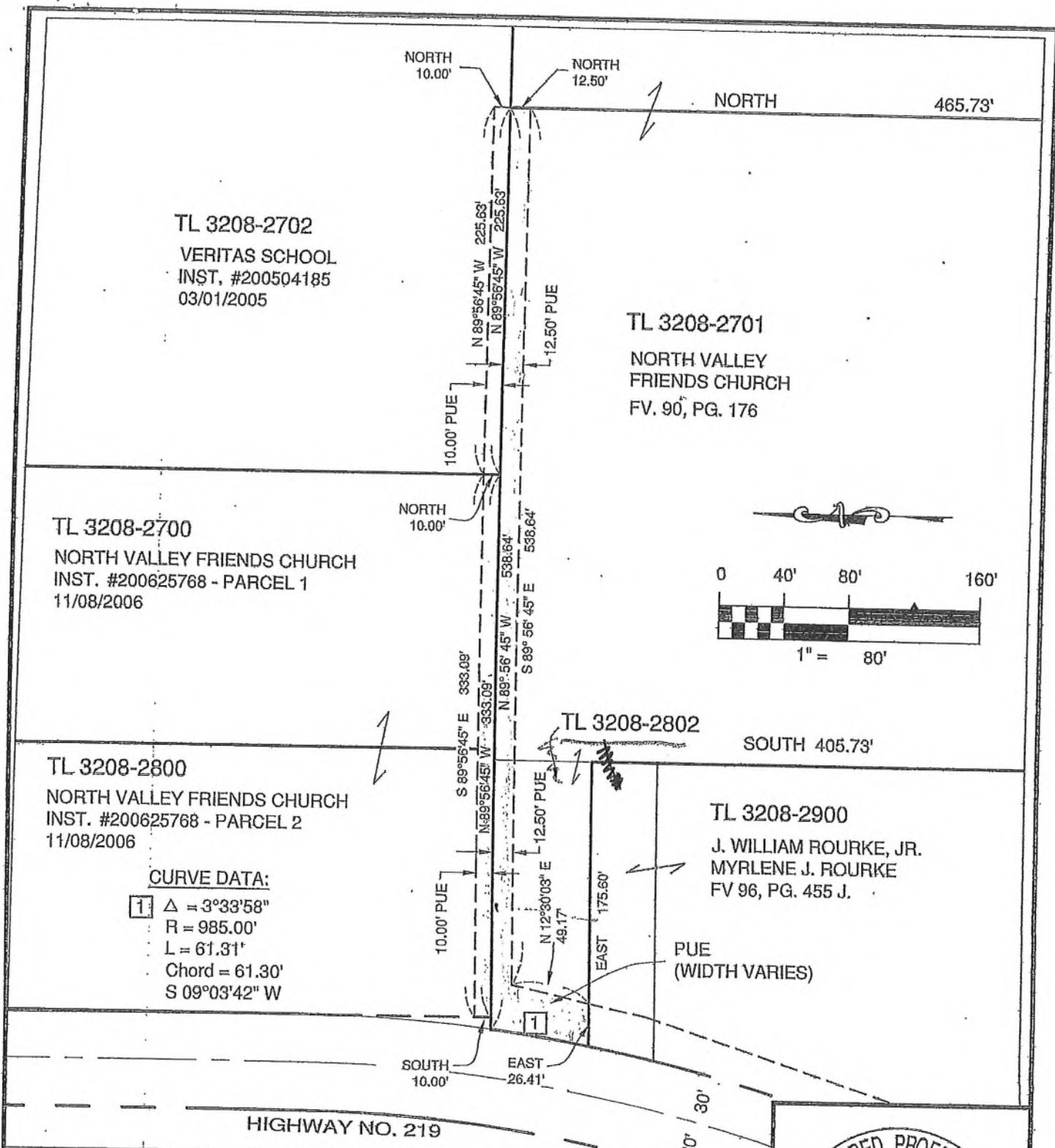


CITY OF NEWBERG  
ACCEPTED:

APPROVED AS TO FORM

Norma I. Alley, City Recorder  
Dated: \_\_\_\_\_

Terrence D. Mahr, City Attorney  
Dated: \_\_\_\_\_



**CURVE DATA:**  
 1 Δ = 3°33'58"  
 R = 985.00'  
 L = 61.31'  
 Chord = 61.30'  
 S 09°03'42" W

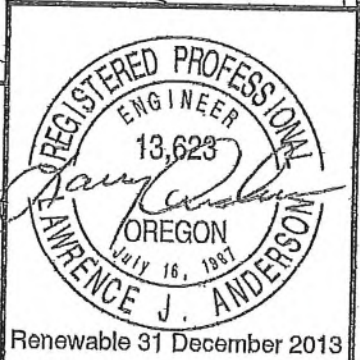
VERITAS SCHOOL  
 UTILITIES PROJECT  
 EASEMENT EXHIBIT

TAX LOTS:  
 3208-2701, 2802, 2700, 2800

DATE: 7/28/2013  
 DRAWN: LJA  
 SCALE: 1" = 80'

**EXHIBIT "A"**  
 Section 8, T. 3 S., R. 2 W., WM.,  
 NEWBERG, YAMHILL CO., OR.

LAEI  
 112 N. Springbrook Road  
 Newberg, Oregon 97132  
 Phone: (503) 537-1110  
 email: andeng1@comcast.net



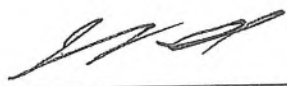


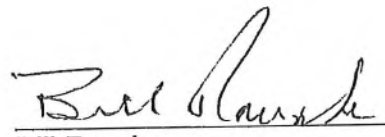
March 24, 2017

Veritas School is responsible for all costs associated with constructing the sewer and water main across North Valley Friends Church property. Veritas School has completed an Advance Financing or Reimbursement District application with the City of Newberg so as to recover some of Veritas' cost for construction of the sewer main from future users and other benefiting properties.

Veritas agrees that Bill Rourke's property shall be exempt from making a reimbursement payment in exchange for the perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a public sanitary sewer line and a public water line which run across his property.

This applies to the costs of construction of the main line sewer and water by Veritas, only. Bill Rourke understands that he will be responsible to pay City fees and construction costs associated with the future extension of the sewer and water into his property for service to a location or other buildings considered as part of the development of his property.

  
\_\_\_\_\_  
Veritas Chairman of the Board      3/27/17  
Date

  
\_\_\_\_\_  
Bill Rourke      3-27-17  
Date

**AFTER RECORDING RETURN TO:**  
City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

**PUBLIC UTILITY EASEMENT**

In consideration of the sum of \$0.00 and other valuable consideration, NORTH VALLEY FRIENDS CHURCH, AN OREGON NON-PROFIT CORPORATION, herein called Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a public sanitary sewer line and a public water line and across the following described real property:

Situated in the William T. Wallace Donation Land Claim #47, in Section 8, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon;

A strip of land of varying width, across that certain tract of land conveyed to North Valley Friends Church by deed recorded in Film Volume 90, Page 176, Yamhill County Deed Records, said easement as depicted on map marked Exhibit A:

**TO HAVE AND TO HOLD** said easement to said Grantee, for the use and purpose herein above described.


It is further understood that:

1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and further absolves the Grantee from any damage not controlled by their actions.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS: BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the parties have executed this document on this 28 day of July, 2013

**NORTH VALLEY FRIENDS CHURCH**

  
William Bourke, Jr. Representative

  
Rawlen Smith Representative

  
James L. Fisher Representative

**AFTER RECORDING RETURN TO:**  
City of Newberg – Engineering Division  
PO Box 970 | 414 E. First Street  
Newberg, OR 97132

STATE OF Oregon }  
County of Yamhill } s.s.

2846  
37  
910

This instrument was acknowledged before me this 31 day of July, 13, by J. William Fourke, Jr., Rawlen Smith and James L. Fisher.

Janet L. Winder  
Janet L. Winder

Notary Public for Oregon  
My Commission expires: 5/6/2017



CITY OF NEWBERG  
ACCEPTED:

APPROVED AS TO FORM

\_\_\_\_\_  
Norma I. Alley, City Recorder  
Dated: \_\_\_\_\_

\_\_\_\_\_  
Terrence D. Mahr, City Attorney  
Dated: \_\_\_\_\_

VERITAS

RESOLUTIONS OF THE BOARD OF GOVERNORS  
OF  
VERITAS SCHOOL

The regular meeting of the Board of Governors of the above designated Oregon non-profit and Public Benefit Corporation, also known Veritas, was held in Newberg, Oregon, on the 12th day of August, 2013.

The following Board of Governors currently serving Veritas and constituting a quorum, were present:

- Mark David Hall, Chairman
- Kasi Woidyla, Vice Chair
- David M. Blair, Secretary
- Chad Krober
- Steve Streimer
- Cliff Schroeder

Excused absent:

- Jeff Jones

The Board of Governors present waived notice of the regular meeting both orally and by their written assent below signed.

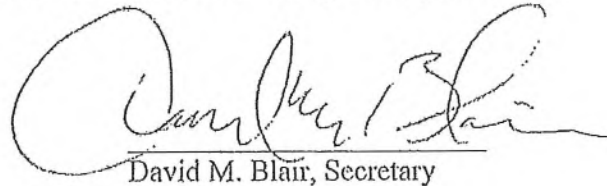
The first item of business before the Board of Governors is the approval of a Public Utility Easement as Grantor to the City of Newberg, a municipal corporation, as Grantee, for purposes of constructing, installing, repairing, and maintaining a public sanitary sewer line and/or public water line to Veritas Tax Lot 3208-2702. A copy of Exhibit "A" of what is known as the Veritas School Utilities Project Easement dated July 28, 2013, is attached hereto and incorporated into these minutes. The Board duly considered the matter and agreed as follows:

RESOLVED, that pursuant to the Bylaws of Veritas School, the Board of Governors agreed to accept the Public Utility Easement as Grantor to the City of Newberg, a municipal corporation, Grantee, for purposes of constructing, installing, repairing, and maintaining a public sanitary sewer line and/or public water line to Veritas Tax Lot 3208-2702. The legal description of said easement is referenced on Exhibit "A" of what is known as the Veritas School Utilities Project Easement dated July 28, 2013, which is attached hereto and incorporated into these minutes.

The second item of business before the Board of Governors is the authorization of a representative from the Board of Governors to execute the above noted easement and related documents on behalf of Veritas School for the purpose of developing the Veritas School campus located on Tax Lot No. 3208-2702. The Board duly considered the matter and agreed as follows:

RESOLVED, pursuant to Article XI, Section 1 of the Bylaws of Veritas School and consistent with Board Policy 4.2.6, the Board of Governors hereby authorize Mark David Hall as Chairman of the Board of Governors for Veritas School to (i) sign all necessary Agreements, Returns, Easements, Receipts, Undertakings, Affidavits, Correspondence, etc., with the City, State and Central Government Departments, Statutory Authorities, Private Organizations and Persons whether incorporated or not, Suppliers & Vendors and any contracting Party with Veritas School as may be required to promote and effectuate the development of the Veritas School campus located on Tax Lot No. 3208-2702, and (ii) to appear and represent before them for and on behalf of the School, relating to all matters for the conduct of the day-to-day management and business of the School, specifically including the development of the Veritas School campus located on Tax Lot No. 3208-2702 and any associated easements thereto.

There being no further business before the Board, the meeting was adjourned.



David M. Blair, Secretary



August 08, 2013

**VERITAS SCHOOL SITE  
UTILITY EASEMENT DEDICATION**

**LEGAL DESCRIPTION – For a Public Utility Easement across Tax Lots 3208-2702.**

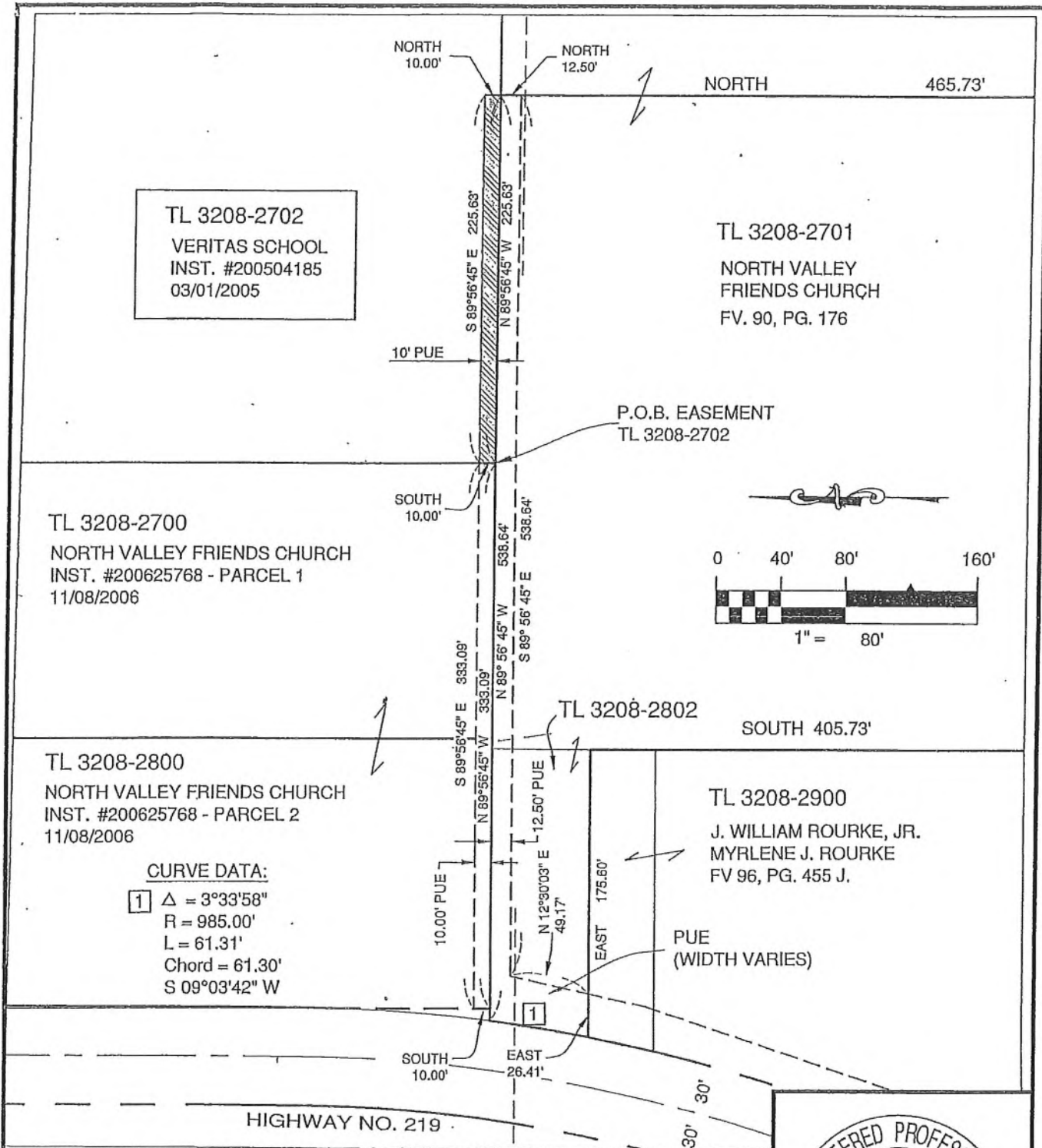
Situated in the Northwest Quarter of Section 8, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon.

A strip of land, 10.00 feet in width across that certain property described in deed to Veritas School, recorded March 1, 2005, as Instrument No. 200504185, Yamhill County Deed Records, said strip being more particularly described as follows:

Beginning at the southwest corner of said Veritas School property - Instrument No. 200504185; thence along the south line of the Veritas School property, South 89° 56' 45" East 225.63 feet; thence North 10.00 feet; thence parallel with and 10.00 feet distant from the south line of said Veritas School property, North 89° 56' 45" West 225.63 feet to the west line of said Veritas School property; thence South 10.00 feet to the southwest corner of said Veritas School property and the Point of Beginning.

The intent of this description is to create a 10-foot wide utility easement along the south boundary of the school property from the west boundary of the school property to a line 225.63 feet east.

**EXHIBIT "A"**

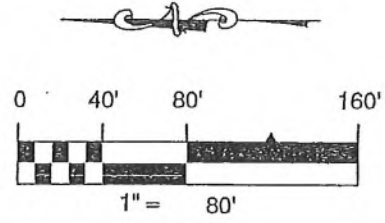


TL 3208-2702  
 VERITAS SCHOOL  
 INST. #200504185  
 03/01/2005

TL 3208-2701  
 NORTH VALLEY  
 FRIENDS CHURCH  
 FV. 90, PG. 176

TL 3208-2700  
 NORTH VALLEY FRIENDS CHURCH  
 INST. #200625768 - PARCEL 1  
 11/08/2006

TL 3208-2800  
 NORTH VALLEY FRIENDS CHURCH  
 INST. #200625768 - PARCEL 2  
 11/08/2006



**CURVE DATA:**  
 1 Δ = 3°33'58"  
 R = 985.00'  
 L = 61.31'  
 Chord = 61.30'  
 S 09°03'42" W

TL 3208-2900  
 J. WILLIAM ROURKE, JR.  
 MYRLENE J. ROURKE  
 FV 96, PG. 455 J.

PUE  
 (WIDTH VARIES)

VERITAS SCHOOL  
 UTILITIES PROJECT  
 EASEMENT EXHIBIT

VERITAS SCHOOL SITE  
 INST. #200504185  
 TAX LOT: 3208-2702  
 Section 8, T. 3 S., R. 2 W., WM

DATE: 7/28/2013  
 DRAWN: LJA  
 SCALE: 1" = 80'

**EXHIBIT "A"**  
 LAEI  
 112 N. Springbrook Road  
 Newberg, Oregon 97132  
 Phone: (503) 537-1110  
 email: andeng1@comcast.net

REGISTERED PROFESSIONAL  
 ENGINEER  
 13,623  
 OREGON  
 July 16, 1991  
 LAWRENCE J. ANDERSON  
 Renewable 31 December 2013

AFTER RECORDING RETURN TO:  
City of Newberg - Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

PUBLIC UTILITY EASEMENT

In consideration of the sum of \$0.00 and other valuable consideration, VERITAS SCHOOL, AN OREGON NON-PROFIT CORPORATION, herein called Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a public sanitary sewer line and/or a public water line and across the following described real property:

See attached Exhibit A

TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and further absolves the Grantee from any damage not controlled by their actions.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the parties have executed this document on this 13 day of Aug. 2013

VERITAS SCHOOL

Mark D. Hall  
Representative

STATE OF OR )  
County of Yamhill ) s.s.

This instrument was acknowledged before me this 13<sup>th</sup> day of Aug. 2013 by

Mark D. Hall

Notary Public for Oregon  
My Commission expires: 7/14/15

Rosita Seibel, Notary



CITY OF NEWBERG  
ACCEPTED:

APPROVED AS TO FORM

Norma I. Alley, City Recorder  
Dated: \_\_\_\_\_

Terrence D. Mahr, City Attorney  
Dated: \_\_\_\_\_



# Veritas School

SOLI DEO GLORIA

July 10, 2013

**MEMO: July 10, 2013**

**VERITAS AGREEMENT WITH JOHN AND ILA WARDIN**

**TERMS AND CONDITIONS FOR GRANTING A PUBLIC SEWER EASEMENT TO THE CITY OF NEWBERG ACROSS THE PROPERTY OF JOHN AND ILA WARDIN (TAX LOT 3207AD-700), AT 3720 N. COLLEGE ST., NEWBERG, OREGON.**

In exchange for Wardin's agreement to provide the sewer easement identified on the engineering drawings of Larry Anderson Engineering as approved by the City of Newberg and depicted in attached Exhibit A, Veritas school agrees to the following:

1. Raugust Excavation agrees to top several trees that Mr. Wardin has identified and remove the large tree located at the entrance of his driveway to a nearby area for Mr. Wardin to cut for firewood.
2. Veritas will provide a standard one year warranty for restoration of the disturbed areas. Raugust Excavation will inspect the grounds with Mr. Wardin at eleven months and make any repairs to Mr. Wardin's satisfaction.
3. Veritas School is responsible for all costs associated with constructing the sewer main across Wardin's property. Should Veritas School request that the City of Newberg form an Advance Financing or Reimbursement District so as to recover some of Veritas' cost for construction of the sewer main from future users and other benefiting properties, Veritas agrees that Wardin's property shall be exempt from making a reimbursement payment. This applies to the costs of construction of the main line sewer by Veritas, only. Wardins understand that they will be responsible to pay City fees associated with the future extension of the sewer into their property for service to their home and/or for the development of their property.

*[Signature]*      7/22/13  
 Veritas Chairman of the Board      Date

*John H. Wardin / Ila G. Wardin*  
 John and Ila Wardin      7-10-13      Date

AFTER RECORDING RETURN TO:  
City of Newberg - Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

**PUBLIC SANITARY SEWER EASEMENT**

In consideration of the sum of \$0.00 and other valuable consideration, Ila J. Wardin and John K. Wardin, as Trustees of the Ila J. Wardin Trust, herein called Grantors, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a sanitary sewer line across real property depicted in attached Exhibit A and further described as follows:

A strip of land 16 feet in width, being a portion of a tract of land conveyed to Ila J. Wardin and John K. Wardin or Successors, as Trustees of the Ila J. Wardin Trust, by deed recorded as Instrument No. 2013-00393, Yamhill County Records, said strip situated in the William T. Wallace Donation Land Claim No. 47, in Section 7, Township 3 South, Range 2 West, of the Willamette Meridian, Yamhill County, Oregon, and more particularly described as follows:

Beginning at a point on the western boundary of the Wardin Trust tract, Instrument No. 2013-00393, at the intersection of the centerline of right-of-way of Alexandra Drive, a public street as platted in "Cottages at Oak Knoll" subdivision in the City of Newberg, Yamhill County, Oregon; thence along the western boundary of said Wardin Trust tract and the eastern boundary of "Cottages at Oak Knoll", South 0° 39' 48" West, 10.00 feet; thence South 89° 20' 12" East, 15.00 feet; thence parallel with and 15.00 feet distant from the western boundary of said Wardin Trust tract and its northerly extension, North 0° 39' 48" East, 189.16 feet to the northern boundary of said Wardin Trust tract and said northern boundary, North 86° 40' 04" West, 15.02 feet; thence South 0° 39' 48" West, 44.80 feet to a 3/4" Iron pipe marking the corner of said Wardin Trust tract and being also the most northerly northeast corner of "Cottages at Oak Knoll"; thence along the western boundary of said Wardin Trust tract, South 0° 39' 48" West, 135.22 feet to the point of beginning.

TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and further absolves the Grantee from any damage not controlled by their actions.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 02.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Ila J. Wardin Trust: by

Ila J. Wardin Trustee  
Ila J. Wardin, Trustee

John K. Wardin  
John K. Wardin, Trustee

PO Box 53  
Address

Newberg, OR 9713  
City, State, Zip

STATE OF } Oregon  
County of } s.s. Yamhill

This instrument was acknowledged before me this 10<sup>th</sup> day of July, 2013 by Judy Gillum

Notary Public for Oregon Judy Gillum  
My Commission expires: January 16, 2016



CITY OF NEWBERG  
ACCEPTED:

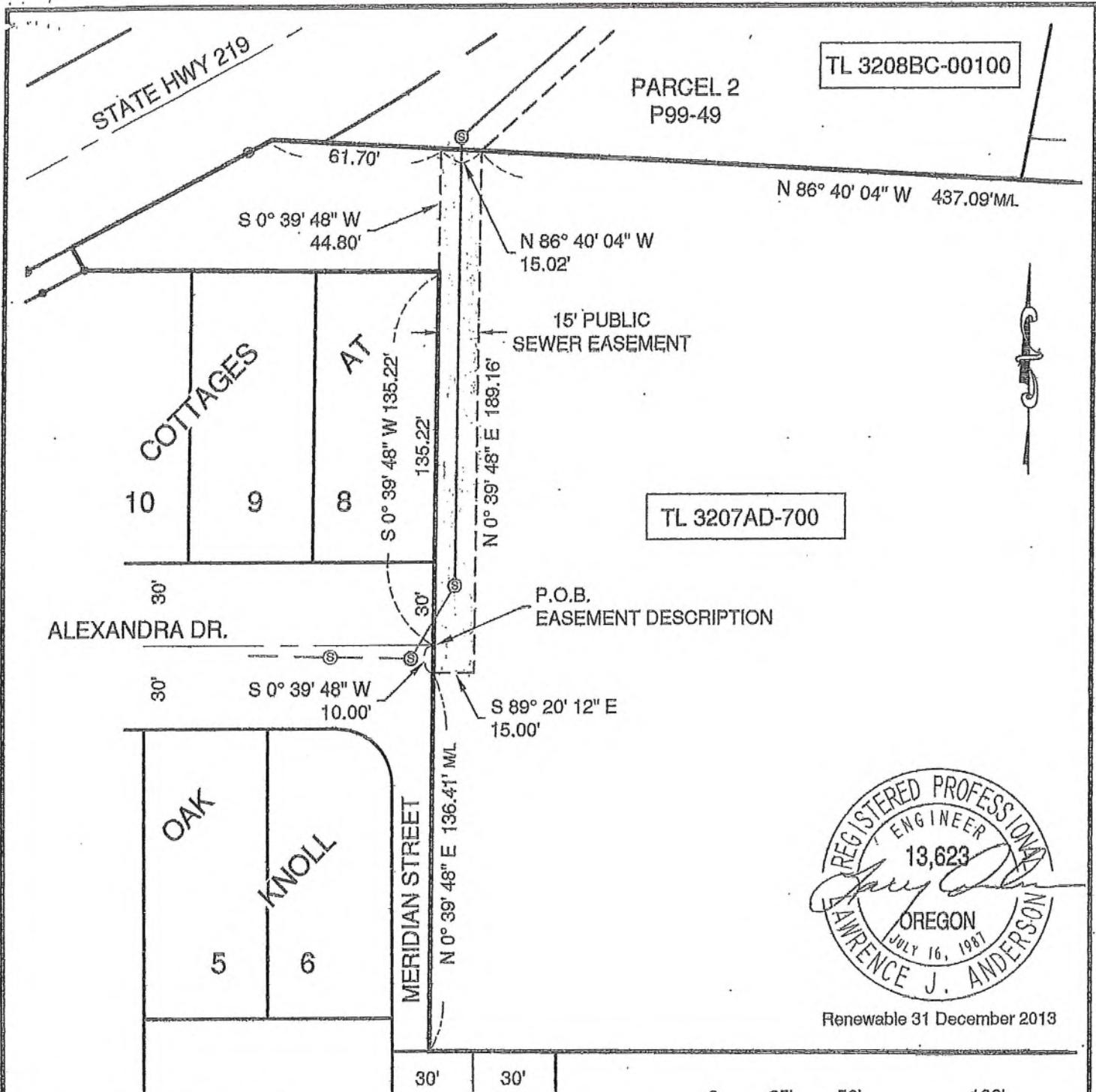
APPROVED AS TO FORM

Norma I. Alley, City Recorder

Terrence D. Mahr, City Attorney

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_



TL 3208BC-00100

PARCEL 2  
P99-49

TL 3207AD-700

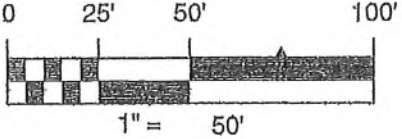


Renewable 31 December 2013

REFERENCE SURVEYS

- (1) COTTAGES AT OAK KNOLL
- (2) PARTITION PLAT P99-49

**EXHIBIT " A "**



<b>VERITAS SCHOOL UTILITIES EXTENSION PROJECT EASEMENT EXHIBIT</b>		<b>OWNER:</b> ILA J. WARDIN TRUST, ILA J. WARDIN & JOHN K. WARDIN TRUSTEES  <b>DEED:</b> INSTRUMENT # 2013-00393
<b>DATE:</b> 7/09/2013 <b>DRAWN:</b> KLA <b>SCALE:</b> 1" = 50'	<b>ADDRESS:</b> JOHN K. & ILA J. WARDIN 3720 N COLLEGE ST NEWBERG, OR 97132	<b>LAEI</b> 112 N, Springbrook Road Newberg, Oregon 97132 Phone: (503) 537-5811 email: andeng1@comcast.net

August 08, 2013

**VERITAS SCHOOL PROPERTY  
UTILITY EASEMENT DEDICATION**

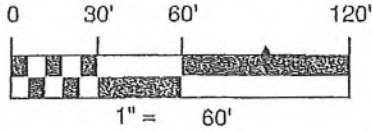
**LEGAL DESCRIPTION – For a Public Utility Easement across Tax Lots 3208BC-00100 and 3208BC-00200.**

Situated in the Northwest Quarter of Section 8, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon.

A strip of land of varying width across that property described in deed to Veritas School, recorded on October 4, 2012 in Instrument No. 2012-14268, Yamhill County Deed Records, said strip being more particularly described as follows:

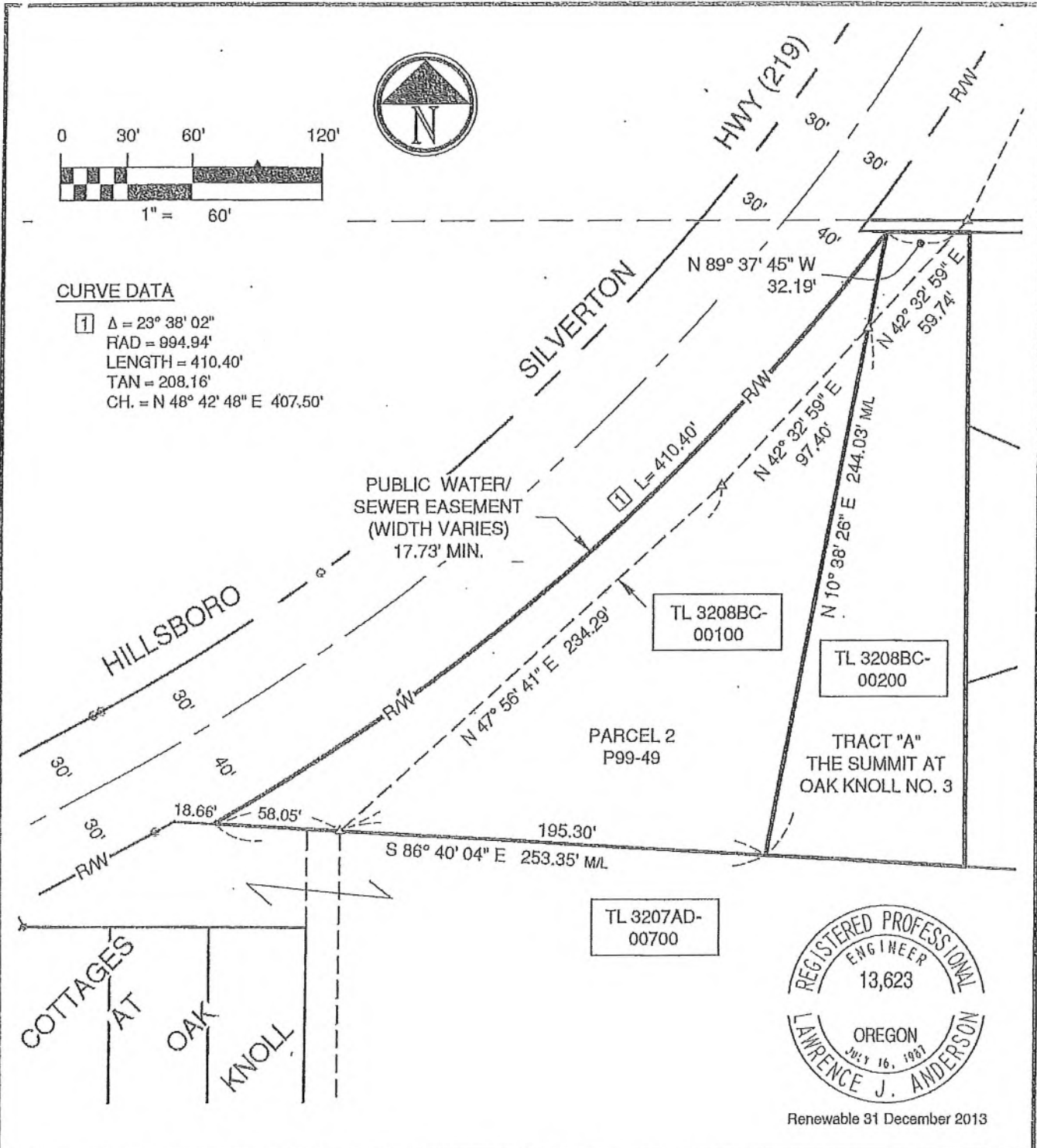
Beginning at the southwest corner of Parcel 2 of Partition Plat 99-49, recorded December 14, 1999 as Instrument No. 199924034, Deed and Mortgage Records, Yamhill County, Oregon, said point also on the southwest margin of State Highway 219; thence along the south line of said Parcel 2, South 86° 40' 04" East 58.05 feet; thence North 47° 56' 41" East 234.29 feet; thence North 42° 32' 59" East 97.40 feet, to a point on the east boundary of said Parcel 2 and the west boundary of Tract "A", "The Summit at Oak Knoll No. 3" subdivision, a duly recorded subdivision in the City of Newberg, Oregon; thence continuing North 42° 32' 59" East 59.74 feet to the north boundary of said Tract "A" "The Summit at Oak Knoll No. 3" subdivision; thence along the north boundary of said Tract "A", North 89° 37' 45" West 32.19 feet to the northwest corner of said Tract "A" also being the northernmost corner of Parcel 2 of Partition Plat 99-49 and also being on the southwest margin of Oregon State Highway 219; thence southwesterly along the southwest margin of Oregon State Highway 219 along the arc of a 994.94 ft. radius curve concave to the northwest, a distance of 410.40 feet (chord bears South 48° 42' 48" West 407.50 feet), to the southwest corner of said Parcel 2, Partition Plat 99-49 and the Point of Beginning.

**EXHIBIT "A"**



**CURVE DATA**

- ①  $\Delta = 23^\circ 38' 02''$
- RAD = 994.94'
- LENGTH = 410.40'
- TAN = 208.16'
- CH. = N  $48^\circ 42' 48''$  E 407.50'



Renewable 31 December 2013

VERITAS SCHOOL UTILITIES PROJECT EASEMENT EXHIBIT		INST. # 2012-14268 TAX LOTS: 3208BC-00100 & 3208BC-00200 OWNER: VERITAS SCHOOL SECTION 8, T. 3 S., R. 2 W., WM	
DATE: 7/28/2013 DRAWN: LJA SCALE: 1" = 60'	<h1>EXHIBIT "A"</h1>		LAEI 112 N. Springbrook Road Newberg, Oregon 97132 Phone: (503) 537-1110 email: andeng1@comcast.net



AFTER RECORDING RETURN TO:  
City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

PUBLIC UTILITY EASEMENT

In consideration of the sum of \$0.00 and other valuable consideration, VERITAS SCHOOL, AN OREGON NON-PROFIT CORPORATION, herein called Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a public sanitary sewer line and/or a public water line and across the following described real property:

See attached Exhibit A

TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and further absolves the Grantee from any damage not controlled by their actions.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the parties have executed this document on this 13<sup>th</sup> day of Aug., 2013.

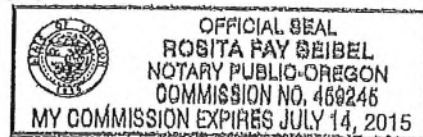
VERITAS SCHOOL

[Signature] Chairman  
Representative

STATE OF OR )  
County of Yamhill ) s.s.

This instrument was acknowledged before me this 13<sup>th</sup> day of Aug., 2013, by  
Mark R. Hall

Notary Public for Oregon  
My Commission expires: 7/14/15  
Rosita Seibel, Notary



CITY OF NEWBERG  
ACCEPTED:

APPROVED AS TO FORM

Norma I. Alley, City Recorder  
Dated: \_\_\_\_\_

Terrence D. Mahr, City Attorney  
Dated: \_\_\_\_\_

Round

**AFTER RECORDING RETURN TO:**  
City of Newberg - Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

**PUBLIC SANITARY SEWER AND PUBLIC WATERLINE EASEMENT**

*JWR*  
*J. W. Rourke*

In consideration of the sum of \$0.00 and other valuable consideration, Joseph W. Rourke, Jr. and Myrlene J. Rourke, herein called Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a public sanitary sewer line and a public water line across the following described real property:

*JWR*  
*J. W. Rourke*

A strip of land of varying width, situated in Section 8, Township 3 South, Range 2 West of the Willamette Meridian, and being a portion of that tract of land conveyed to Joseph W. Rourke, Jr. and Myrlene J. Rourke by deed recorded in instrument No. 200502945, Yamhill County Deed Records. Said strip being more particularly described in Exhibit A and as depicted in Exhibit B.

**TO HAVE AND TO HOLD** said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and further absolves the Grantee from any damage not controlled by their actions.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the parties have executed this document on this 23 day of May, 2013

*J. William Rourke, Jr.*  
J. William Rourke, Jr.

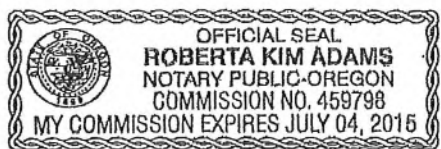
*Myrlene J. Rourke*  
Myrlene J. Rourke

1201 Euclid St #15  
Address  
Newberg, OR 97132  
City, State, Zip

STATE OF Oregon )  
County of Yamhill ) s.s.

This instrument was acknowledged before me this 23 day of May, 2013 by J. William Rourke, Jr. and Myrlene J. Rourke.

Roberta Kim Adams  
Notary Public for Oregon  
My Commission expires: 7/4/2015



**AFTER RECORDING RETURN TO:**

City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

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CITY OF NEWBERG  
ACCEPTED:

\_\_\_\_\_  
Norma I. Alley, City Recorder  
Dated: \_\_\_\_\_

APPROVED AS TO FORM

\_\_\_\_\_  
Terrence D. Mahr, City Attorney  
Dated: \_\_\_\_\_

May 23, 2013

**J. William Rourke, Jr. and Myrlene J. Rourke**

**EASEMENT DEDICATION**

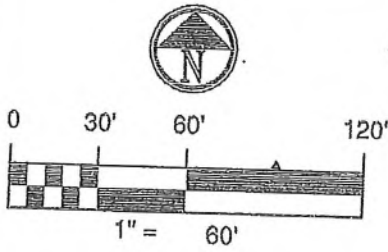
**LEGAL DESCRIPTION – For a Public Sanitary Sewer and Public Waterline  
Easement across Tax Lots 3208-2802 & 2900.**

Situated in the Northwest Quarter of Section 8, Township 3 South, Range 2 West,  
Willamette Meridian, Yamhill County, Oregon.

A strip of land of varying width across that property described in deed to J. William Rourke, Jr. & Myrlene J. Rourke, recorded on February 14, 2005 in Instrument No. 200502945, Yamhill County Deed Records. Said strip being adjacent to and easterly of the easterly margin of the Hillsboro-Silverton Highway (State Highway 219), and being more particularly described as follows:

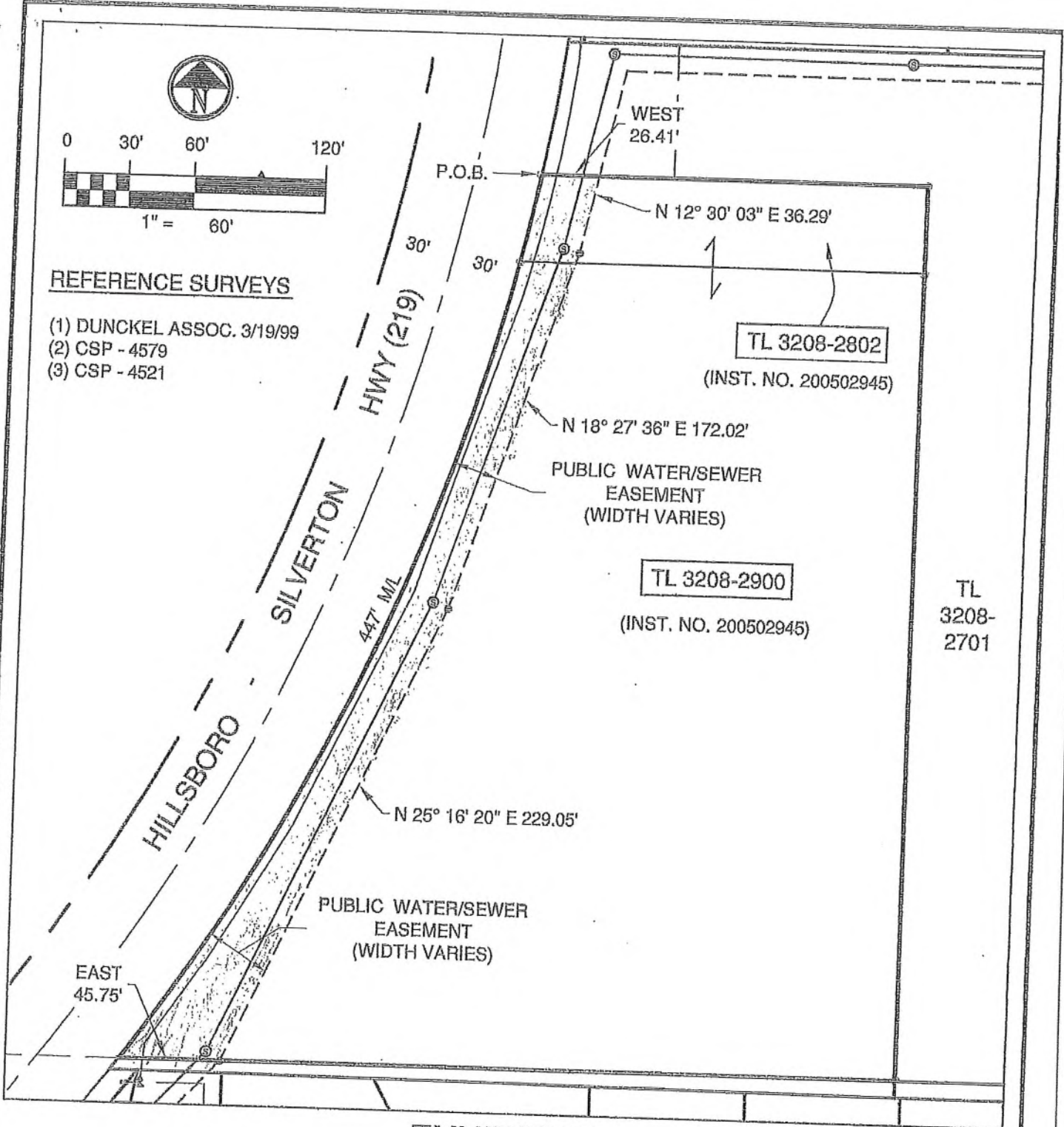
Beginning at a point at the intersection of the North line of that property described in Instrument No. 200502945 and the easterly margin of the Hillsboro-Silverton Highway; thence Southwesterly along the easterly margin of State Highway, a distance of 447 feet, more or less, to the south line of Instrument No. 200502945; thence East along the south line of Instrument No. 200502945, a distance of 45.75 feet; thence North 25°16'20" East, 229.05 feet; thence North 18°27'36" East, 172.02 feet; thence North 12°30'03" East, 36.29' to the north line of Instrument No. 200502945; thence West, along the north line of Instrument No. 200502945, 26.41 feet, more or less, to the easterly margin of the State Highway and Point of Beginning.

**EXHIBIT "A"**



**REFERENCE SURVEYS**

- (1) DUNCKEL ASSOC. 3/19/99
- (2) CSP - 4579
- (3) CSP - 4521



**EXHIBIT 'B'**

VERITAS SCHOOL  
UTILITIES EXTENSION PROJECT  
EASEMENT EXHIBIT

TAX LOT: 3208-2900  
OWNER: ROURKE, WJ & ME  
DEED: INST. NO. 200502945

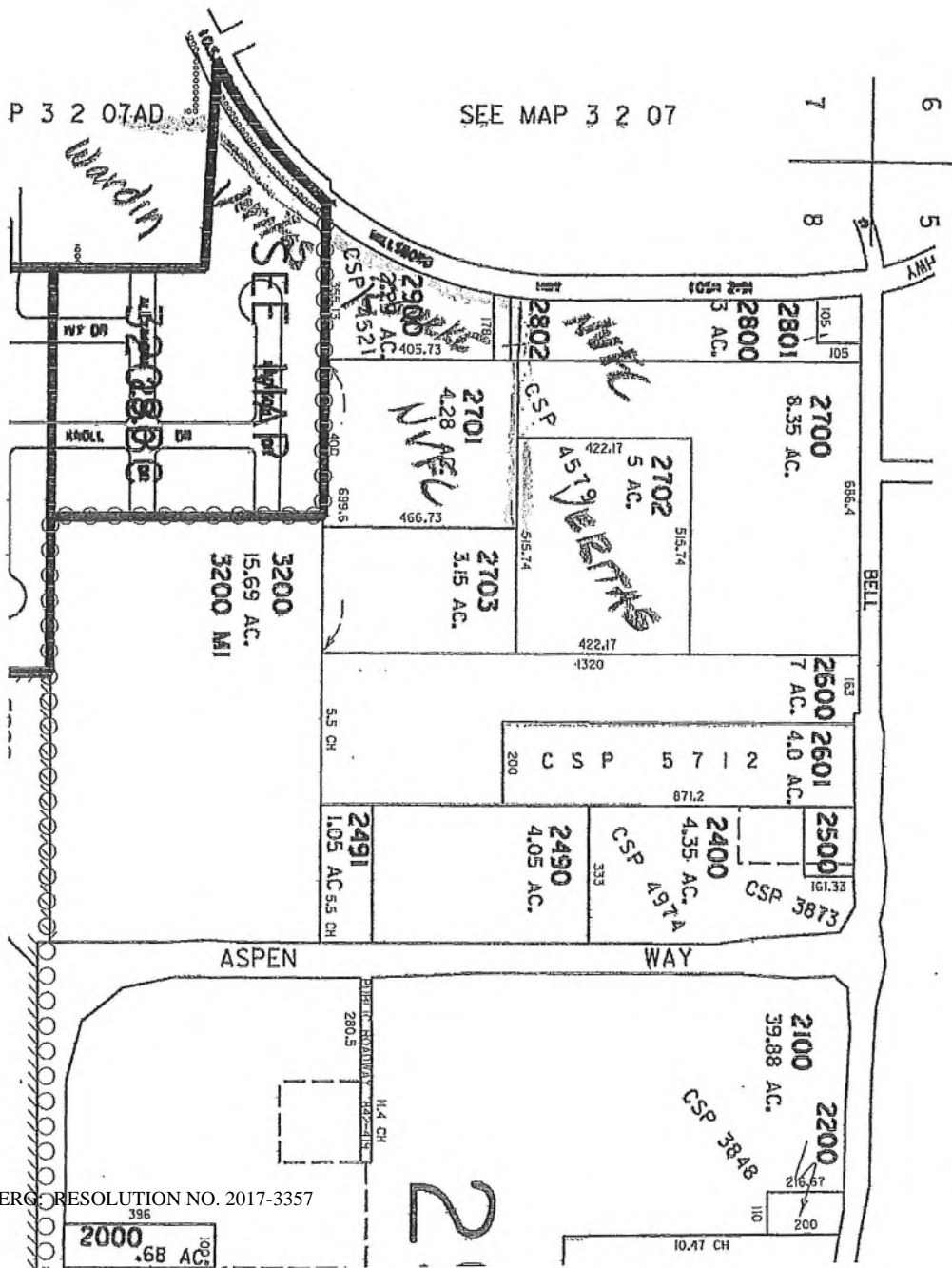
DATE: 6/23/2013

DRAWN: KLA

SCALE: 1" = 60'

ADDRESS:  
JOSEPH W. ROURKE, JR.  
MYRLENE E. ROURKE  
4016 N. COLLEGE ST.  
NEWBERG, OR 97132

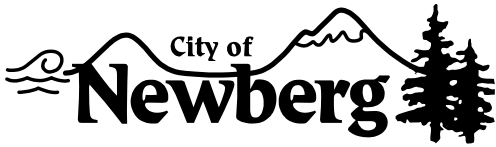
LAEI  
112 N. Springbrook Road  
Newberg, Oregon 97132  
Phone: (503) 537-1110  
email: andeng1@comcast.net



**Exhibit E:**  
**Sample Public Notice and Mailing Information**

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# Community Development Department

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

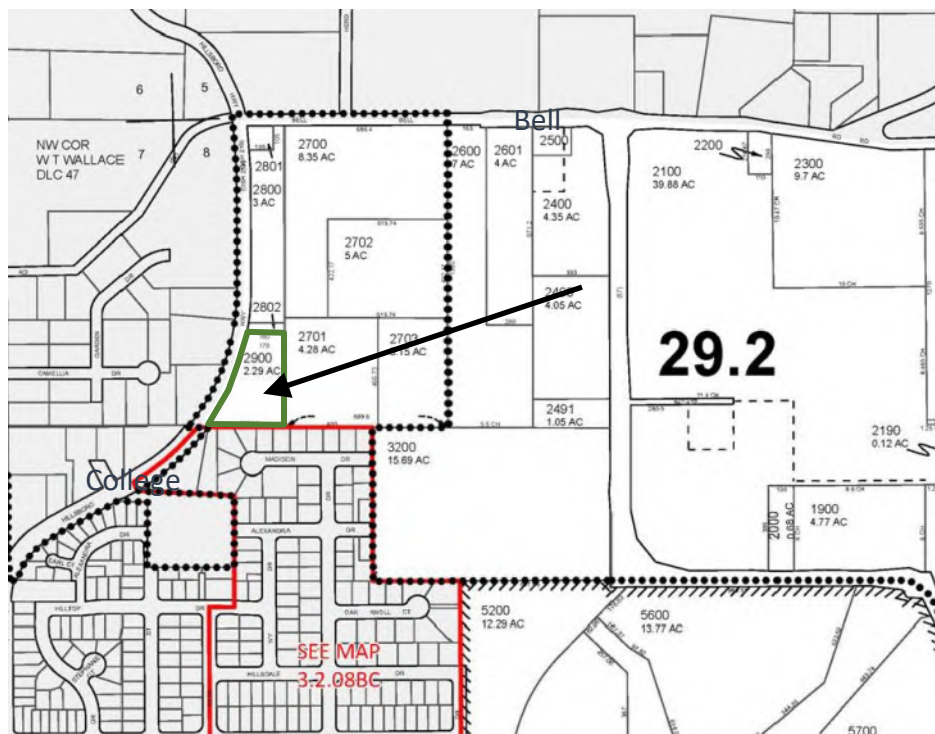
503-537-1240. Fax 503-537-1272 [www.newbergoregon.gov](http://www.newbergoregon.gov)

## 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 twelve 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. For more details about giving comments, please see the back of this sheet.

The project involves the creation of a 12-lot subdivision for single-family homes and a local residential street. The site is approximately 2.34 acres in size, fronts N College Street (OR 219), and is zoned R-1 (Low Density Residential).

APPLICANT: Bill Rourke  
APPLICANT'S CONSULTANT: **AKS Engineering & Forestry, LLC**  
Glen Southerland, AICP  
TELEPHONE: **(503) 563-6151**  
EMAIL: SoutherlandG@aks-eng.com  
PROPERTY OWNER: Bill Rourke  
LOCATION: **4016 N College Street**  
TAX LOT NUMBER: **Yamhill County Tax Map 3 2 08 Lot Number 2900**



*Working Together For A Better Community-Serious About Service"*

Q:\jobs\4600-4699\4612 4016 N College Street\Planning\Subdivision - Submittal 1\Application Materials\Exhibits\4612 20210923 Public Notice.docx



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.XX**  
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 15.235.060(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: **Date notice is mailed**

# **Land Use Notice**

**FILE #:**

**PROPOSAL: 12-lot subdivision for single-family residences, street, and associated utilities**

**FOR FURTHER INFORMATION, CONTACT:**

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



Date of Production: 10/01/2021

## TERMS AND CONDITIONS OF INFORMATION REPORTS

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R3207AA 01500  
Damon & Miriam Ellis  
917 NE Camelia Dr  
Newberg, OR 97132

R3208BC 00205  
Ronald & Carolyn Gross  
10995 SE Quarry Rd  
Dayton, OR 97114

R3208BC 00208  
James & Melinda Allison  
1125 E Madison Dr  
Newberg, OR 97132

R3208BC 00207  
Eric & Colleen Hemmer  
1115 E Madison Dr  
Newberg, OR 97132

R3208BC 00206  
Nancy & Edward Macy  
1101 E Madison Dr  
Newberg, OR 97132

R3207AD 00300  
Robert & Donda Burnett  
3713 N College St  
Newberg, OR 97132

R3207AA 01100  
James & Jacqui Fisher  
10695 NE Renne Rd  
Newberg, OR 97132

R3208BC 01100  
Kevin Winfield & Laurie West  
3625 N Knoll Dr  
Newberg, OR 97132

R3207AA 01400  
James & Bonnie Kiser  
909 NE Camelia Dr  
Newberg, OR 97132

R3208BC 01000  
James & Karlyn Fleming  
3624 N Ivy Dr  
Newberg, OR 97132

R3207AA 01200  
Dean & Donna Thomas  
900 NE Camelia Dr  
Newberg, OR 97132

R3208BC 01703  
Michelle & Brian Groves  
1215 N Alexandra Dr  
Newberg, OR 97132

R3208 02703  
North Valley Friends Church  
4020 N College St  
Newberg, OR 97132

R3207AA 00490  
Robert & Nancy Schumacher  
916 NE Camelia Dr  
Newberg, OR 97132

R3208BC 00305  
Gregory & Connie Strandberg  
1115 N Alexandra Dr  
Newberg, OR 97132

R3208BC 00204  
Leslie & Nathan Murray  
1007 E Madison Dr  
Newberg, OR 97132

R3207AA 01401  
Jeremy & Laila Allen  
4054 NE Garden Dr  
Newberg, OR 97132

R3208BC 00100  
Veritas School  
26288 NE Bell Rd  
Newberg, OR 97132

R3208BC 00200  
Veritas School  
26288 NE Bell Rd  
Newberg, OR 97132

R3208BC 00203  
Jaemi & Kyle Mesneak  
1001 E Madison Dr  
Newberg, OR 97132

R3208BC 00210  
Kerry & Monica Tweet  
1215 E Madison Dr  
Newberg, OR 97132

R3208BC 00209  
Jeffery & Heidi Jones  
17305 NE Leander Dr  
Sherwood, OR 97140

R3208BC 00302  
Michael Mcconaughey & Adina  
3719 N Knoll Dr  
Newberg, OR 97132

R3208BC 00211  
Gregory & Elizabeth Woolsey  
1225 E Madison Dr  
Newberg, OR 97132

R3208BC 00201  
John & Heather Orr  
1006 E Madison Dr  
Newberg, OR 97132

R3208BC 00301  
Nancy Sandager  
1100 E Madison Dr  
Newberg, OR 97132

R3208BC 00202  
Joseph & Nicole Hamilton  
1000 E Madison Dr  
Newberg, OR 97132

R3208BC 00213  
Christopher & Sharleen Schneider  
3720 N Knoll Dr  
Newberg, OR 97132

R3208 02702  
Veritas School  
26288 NE Bell Rd  
Newberg, OR 97132

R3208BC 00212  
William & Melissa Thomas  
1212 E Madison Dr  
Newberg, OR 97132

R3208BC 00400  
Leroy & Jennifer Esmond  
3625 N Ivy Dr  
Newberg, OR 97132

R3208 03200  
Somerset Ventures Iv Llc  
Po Box 1060  
Newberg, OR 97132

R3207AD 00100  
John & Shirley Milroy  
1102 N Springbrook Rd # 251  
Newberg, OR 97132

R3207AA 01600  
Olson Melvin R & Marilyn K Olson Melvin  
12575 Greenleaf Dr  
Newberg, OR 97132

R3207AD 00200  
Larry & Jennifer Mcwilliams  
Po Box 1033  
Newberg, OR 97132

R3207AA 01300  
Kurt Lorenzen & Trisha Shogren  
912 NE Camelia Dr  
Newberg, OR 97132

R3208BC 00303  
Joseph Ourada  
3715 N Knoll Dr  
Newberg, OR 97132

R3207AD 00700  
Ila & John Wardin  
Po Box 53  
Newberg, OR 97132

R3207AD 00801  
Kelly Grant  
823 N Alexandra Dr  
Newberg, OR 97132

R3208BC 00308  
Kyle Haynes & Kim White  
1015 N Alexandra Dr  
Newberg, OR 97132

R3208BC 01700  
Cynthia Fox-Course  
1207 N Alexandra Dr  
Newberg, OR 97132

R3208BC 00300  
John & Bridget Hunsinger  
1010 E Madison Dr  
Newberg, OR 97132

R3208BC 01701  
Gwen Mestre  
3710 N Knoll Dr  
Newberg, OR 97132

R3207AD 00802  
Lori Durand  
3658 NE Jacob St  
Mcminnville, OR 97128

R3207AD 00800  
Brian & Amy Ruden  
1688 NW Emerson Ct  
Mcminnville, OR 97128

R3208BC 00307  
Cindy Johnson  
1025 N Alexandra Dr  
Newberg, OR 97132

R3208BC 00306  
Phillip & Kathleen Dietrich  
1101 N Alexandra Dr  
Newberg, OR 97132

R3208BC 01702  
Rachel Leavy  
1201 N Alexandra Dr  
Newberg, OR 97132

R3208 02701  
North Valley Friends Church  
4020 N College St  
Newberg, OR 97132

R3208BC 00304  
Jessica Bagley-Routt & Allen Routt  
1125 N Alexandra Dr  
Newberg, OR 97132

R3207AD 00GAP  
GIS GAP Non-Taxlot  
,

R3208 02700  
North Valley Friends Church  
4020 N College St  
Newberg, OR 97132

R3207AA 00100  
Newberg Gospel Chapel Inc  
4301 N College St  
Newberg, OR 97132

R3207AA 00200  
Debralyn Evans  
4009 N College St  
Newberg, OR 97132

R3208 02900  
J William & Myrlene Rourke  
1201 E Fulton St  
Newberg, OR 97132

R3207AA 00300  
Lawrence Joholske & Sandra Stone  
3993 N College St  
Newberg, OR 97132

R3208 02802  
North Valley Friends Church  
4020 N College St  
Newberg, OR 97132

R3208 02800  
North Valley Friends Church  
4020 N College St  
Newberg, OR 97132

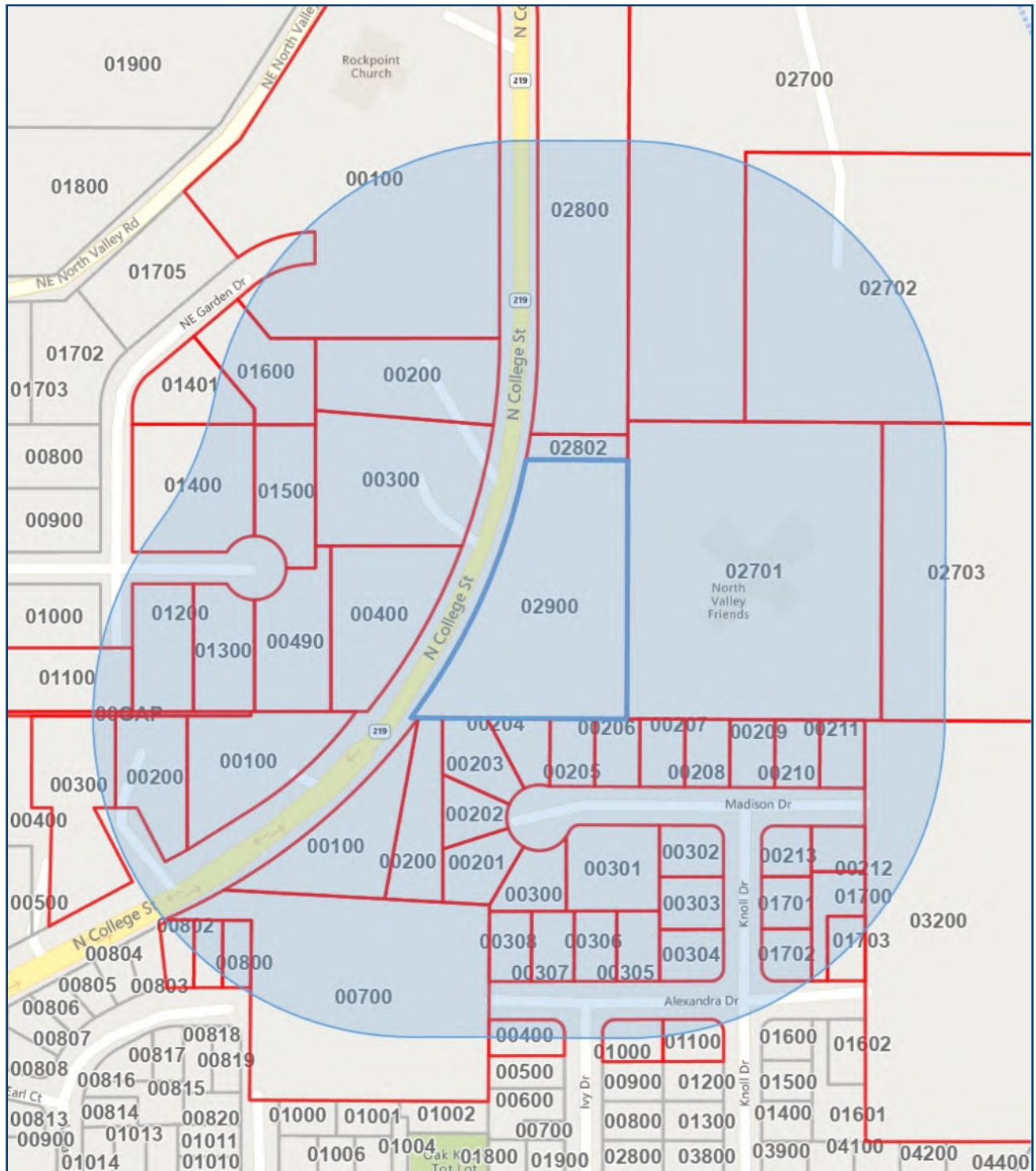
R3207AA 00400  
Jerry & Marie Brown  
1180 SW 9th St  
Dundee, OR 97115



# 500 ft Buffer

4016 N College St, Newberg, OR 97132

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## Ownership

Legal Owner(s): J William & Myrlene Rourke	Parcel #: R3208 02900
Site Address: 4016 N College St Newberg, OR 97132	APN: 25859
Mailing Address: 1201 E Fulton St Newberg, OR 97132	County: Yamhill

## Property Characteristics

Bedrooms: 3	Year Built: 1973	Lot SqFt: 99752
Total Bathrooms: 2	Building SqFt: 2088	Lot Acres: 2.29
Full Bathrooms: 2	First Floor SqFt: 1128	Roof Type: Composition
Half Bathrooms: 0	Basement Sqft: 960	Roof Shape: GABLE
Units: 0	Basment Type: Unfinished	Porch Type:
Stories: 1.00		Building Style:
Fire Place: Y		Garage: Attached Garage
Air Conditioning:		Garage SqFt: 576
Heating Type: Forced air unit		Parking Spots: 2
Electric Type:		Pool:

## Property Information

Land Use: RESIDENTIAL	Zoning: AF-10
Improvement Type: Single Family Residential	School District: Newberg School
Legal Description: SEE METES & BOUNDS	Neighborhood:
	Subdivision:

## Assessor & Tax

Market Land: \$352,942	Taxes: \$4,569.77
Market Total: \$592,521	% Improved: 40
Market Structure: \$239,579	Levy Code:
Assessed Total: \$375,779	Millage Rate:

## Sale History

Last Sale Date:	Doc #:	Last Sale Price: \$0
Prior Sale Date:	Prior Doc #:	Prior Sale Price: \$0

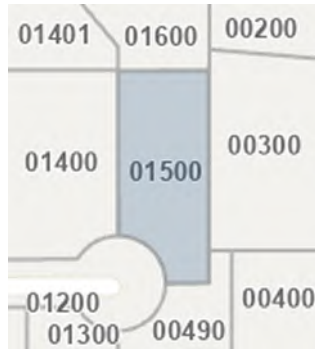
## Mortgage

1st Mortgage Date:	Doc #:	
1st Mortgage Type:	1st Mortgage Lender:	1st Mortgage: \$0
2nd Mortgage Type:		2nd Mortgage: \$0



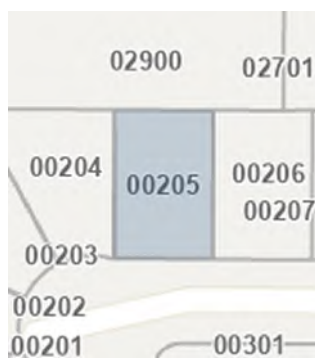
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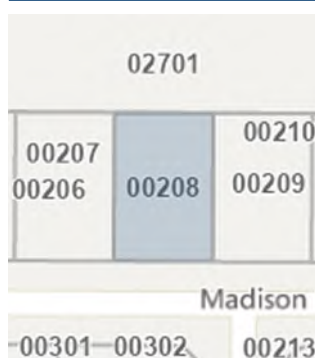
Legal Owner: Damon & Miriam Ellis  
Site Address: 917 NE Camelia Dr Newberg, OR 97132  
Mailing Address: 917 NE Camelia Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 1  
Building SqFt: 1,104                      Lot Acres: 0.45  
Year Built: 1956  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 01500 LOT 13

APN: 24930  
Ref Parcel #: R3207AA 01500  
Taxes: \$2,206.20  
Market Value: \$346,934  
Assessed Value: \$181,419  
Sales Price: \$235,950  
Transfer Date: 8/27/2014



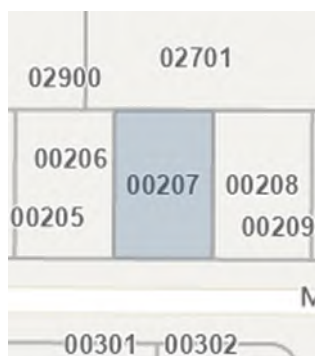
Legal Owner: Ronald & Carolyn Gross  
Site Address: 1015 E Madison Dr Newberg, OR 97132  
Mailing Address: 10995 SE Quarry Rd Dayton, OR 97114  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 2,332                      Lot Acres: 0.17  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: LOT 14 IN THE SUMMIT AT OAK KNOLL NO.3

APN: 519793  
Ref Parcel #: R3208BC 00205  
Taxes: \$5,123.75  
Market Value: \$522,557  
Assessed Value: \$345,893  
Sales Price: \$439,900  
Transfer Date: 7/31/2018



Legal Owner: James & Melinda Allison  
Site Address: 1125 E Madison Dr Newberg, OR 97132  
Mailing Address: 1125 E Madison Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 2,161                      Lot Acres: 0.17  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00208 LOT 17

APN: 519802  
Ref Parcel #: R3208BC 00208  
Taxes: \$4,855.13  
Market Value: \$500,875  
Assessed Value: \$327,759  
Sales Price: \$0  
Transfer Date:



Legal Owner: Eric & Colleen Hemmer  
Site Address: 1115 E Madison Dr Newberg, OR 97132  
Mailing Address: 1115 E Madison Dr Newberg, OR 97132  
Bedrooms: 5  
Bathrooms: 2.5  
Building SqFt: 3,001                      Lot Acres: 0.17  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: LOT 16 IN THE SUMMIT AT OAK KNOLL NO.3

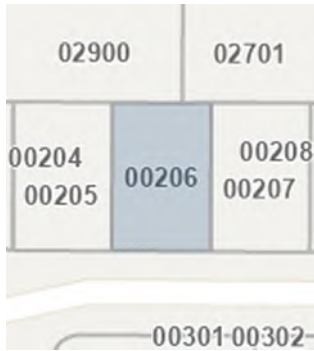
APN: 519799  
Ref Parcel #: R3208BC 00207  
Taxes: \$5,466.15  
Market Value: \$564,525  
Assessed Value: \$369,008  
Sales Price: \$515,000  
Transfer Date: 8/31/2018





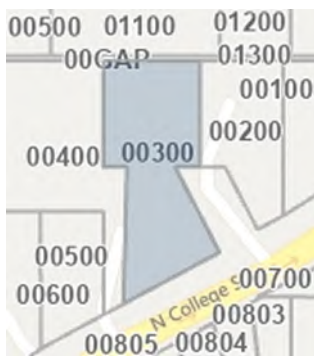
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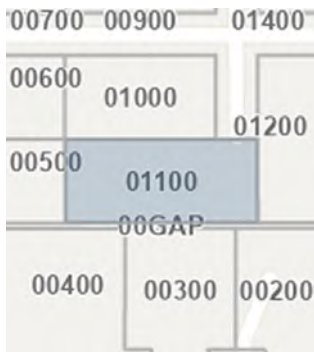
Legal Owner: Nancy & Edward Macy  
Site Address: 1101 E Madison Dr Newberg, OR 97132  
Mailing Address: 1101 E Madison Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 2,555                      Lot Acres: 0.17  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00206 LOT 15

APN: 519796  
Ref Parcel #: R3208BC 00206  
Taxes: \$5,510.56  
Market Value: \$546,234  
Assessed Value: \$372,006  
Sales Price: \$285,000  
Transfer Date: 1/6/2012



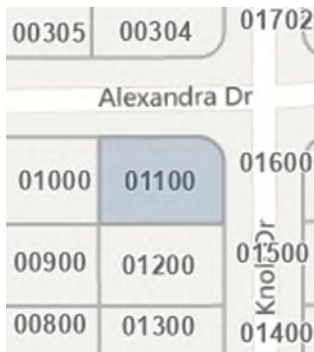
Legal Owner: Robert & Donda Burnett  
Site Address: 3713 N College St Newberg, OR 97132  
Mailing Address: 3713 N College St Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2  
Building SqFt: 1,314                      Lot Acres: 0.80  
Year Built: 1957  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR D TAXLOT 00300

APN: 23986  
Ref Parcel #: R3207AD 00300  
Taxes: \$2,990.18  
Market Value: \$410,855  
Assessed Value: \$245,887  
Sales Price: \$0  
Transfer Date:



Legal Owner: James & Jacqui Fisher  
Site Address: 3909 NE Garden Dr Newberg, OR 97132  
Mailing Address: 10695 NE Renne Rd Newberg, OR 97132  
Bedrooms: 6  
Bathrooms: 4  
Building SqFt: 3,416                      Lot Acres: 0.53  
Year Built: 1953  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 01100 LOT 8

APN: 24896  
Ref Parcel #: R3207AA 01100  
Taxes: \$3,413.40  
Market Value: \$479,465  
Assessed Value: \$280,689  
Sales Price: \$100,000  
Transfer Date: 5/3/2021



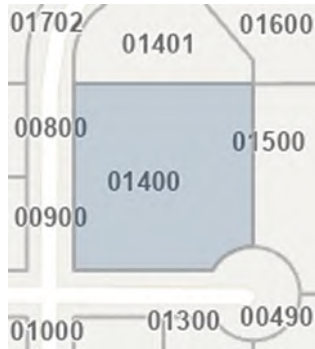
Legal Owner: Kevin Winfield & Laurie West  
Site Address: 3625 N Knoll Dr Newberg, OR 97132  
Mailing Address: 3625 N Knoll Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,254                      Lot Acres: 0.14  
Year Built: 2000  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 01100 LOT 5

APN: 517330  
Ref Parcel #: R3208BC 01100  
Taxes: \$4,207.19  
Market Value: \$453,910  
Assessed Value: \$284,018  
Sales Price: \$0  
Transfer Date:



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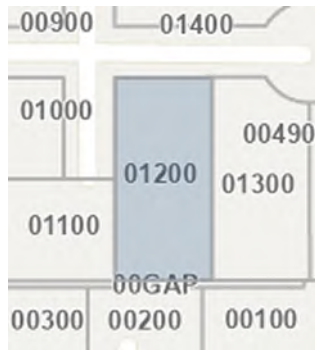
Legal Owner: James & Bonnie Kiser  
Site Address: 909 NE Camelia Dr Newberg, OR 97132  
Mailing Address: 909 NE Camelia Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2.5  
Building SqFt: 1,953                      Lot Acres: 0.85  
Year Built: 1956  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 01400 LOT 11

APN: 24921  
Ref Parcel #: R3207AA 01400  
Taxes: \$3,313.99  
Market Value: \$507,425  
Assessed Value: \$272,514  
Sales Price: \$347,000  
Transfer Date: 9/25/2009



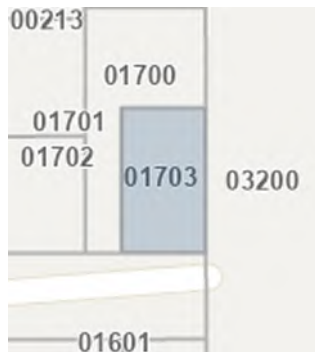
Legal Owner: James & Karlyn Fleming  
Site Address: 3624 N Ivy Dr Newberg, OR 97132  
Mailing Address: 3624 N Ivy Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 1,677                      Lot Acres: 0.14  
Year Built: 2000  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 01000 LOT 6

APN: 517327  
Ref Parcel #: R3208BC 01000  
Taxes: \$3,932.64  
Market Value: \$438,577  
Assessed Value: \$265,484  
Sales Price: \$0  
Transfer Date:



Legal Owner: Dean & Donna Thomas  
Site Address: 900 NE Camelia Dr Newberg, OR 97132  
Mailing Address: 900 NE Camelia Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2  
Building SqFt: 2,014                      Lot Acres: 0.44  
Year Built: 1954  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 01200 LOT 9

APN: 24903  
Ref Parcel #: R3207AA 01200  
Taxes: \$2,836.17  
Market Value: \$424,846  
Assessed Value: \$233,222  
Sales Price: \$285,000  
Transfer Date: 7/17/2015



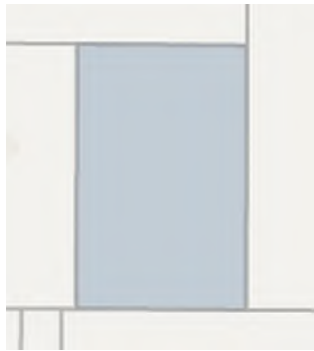
Legal Owner: Michelle & Brian Groves  
Site Address: 1215 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1215 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,273                      Lot Acres: 0.14  
Year Built: 2001  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 01703 LOT 4

APN: 518188  
Ref Parcel #: R3208BC 01703  
Taxes: \$3,502.74  
Market Value: \$400,088  
Assessed Value: \$236,462  
Sales Price: \$0  
Transfer Date:



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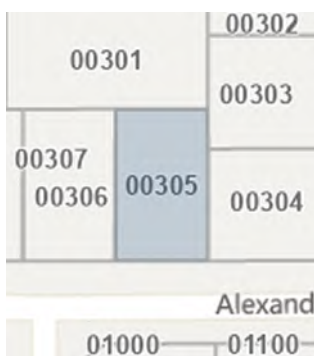
Legal Owner: North Valley Friends Church  
Site Address: 4026 N College St Newberg, OR 97132  
Mailing Address: 4020 N College St Newberg, OR 97132  
Bedrooms: 0  
Bathrooms: 0  
Building SqFt: 0                      Lot Acres: 3.15  
Year Built: 0  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 529354  
Ref Parcel #: R3208 02703  
Taxes: \$0.00  
Market Value: \$75,281  
Assessed Value: \$75,281  
Sales Price: \$0  
Transfer Date:



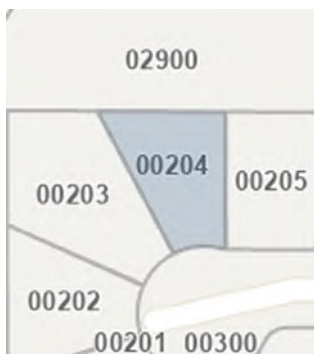
Legal Owner: Robert & Nancy Schumacher  
Site Address: 916 NE Camelia Dr Newberg, OR 97132  
Mailing Address: 916 NE Camelia Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 1,526                      Lot Acres: 0.55  
Year Built: 1957  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 00490

APN: 24823  
Ref Parcel #: R3207AA 00490  
Taxes: \$2,662.33  
Market Value: \$406,508  
Assessed Value: \$218,927  
Sales Price: \$300,000  
Transfer Date: 3/9/2007



Legal Owner: Gregory & Connie Strandberg  
Site Address: 1115 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1115 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 2.5  
Building SqFt: 2,509                      Lot Acres: 0.17  
Year Built: 2014  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00305 LOT 4

APN: 519835  
Ref Parcel #: R3208BC 00305  
Taxes: \$6,404.96  
Market Value: \$617,165  
Assessed Value: \$432,385  
Sales Price: \$594,000  
Transfer Date: 10/15/2020



Legal Owner: Leslie & Nathan Murray  
Site Address: 1007 E Madison Dr Newberg, OR 97132  
Mailing Address: 1007 E Madison Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2  
Building SqFt: 1,863                      Lot Acres: 0.17  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00204 LOT 13

APN: 519790  
Ref Parcel #: R3208BC 00204  
Taxes: \$4,299.10  
Market Value: \$459,688  
Assessed Value: \$290,223  
Sales Price: \$0  
Transfer Date: 12/1/2010



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Legal Owner: Jeremy & Laila Allen  
Site Address: 4054 NE Garden Dr Newberg, OR 97132  
Mailing Address: 4054 NE Garden Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2.5  
Building SqFt: 3,229                      Lot Acres: 0.40  
Year Built: 2007  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 01401

APN: 532612  
Ref Parcel #: R3207AA 01401  
Taxes: \$4,043.79  
Market Value: \$633,167  
Assessed Value: \$332,527  
Sales Price: \$615,000  
Transfer Date: 4/30/2021



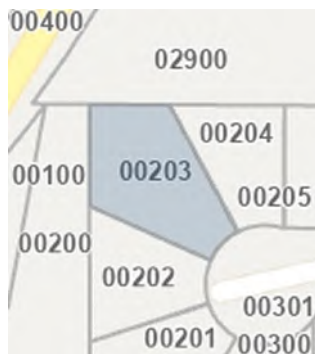
Legal Owner: Veritas School  
Site Address: No Site Address Newberg, OR 97132  
Mailing Address: 26288 NE Bell Rd Newberg, OR 97132  
Bedrooms: 0  
Bathrooms: 0  
Building SqFt: 0                      Lot Acres: 0.70  
Year Built: 0  
School District: Newberg School District 29j  
Neighborhood:  
Legal: PARCEL 2 P1999-49

APN: 515917  
Ref Parcel #: R3208BC 00100  
Taxes: \$94.61  
Market Value: \$184,933  
Assessed Value: \$6,387  
Sales Price: \$2,500  
Transfer Date: 10/4/2012



Legal Owner: Veritas School  
Site Address: No Site Address Newberg, OR 97132  
Mailing Address: 26288 NE Bell Rd Newberg, OR 97132  
Bedrooms: 0  
Bathrooms: 0  
Building SqFt: 0                      Lot Acres: 0.43  
Year Built: 0  
School District: Newberg School District 29j  
Neighborhood:  
Legal: LOT A IN THE SUMMIT AT OAK KNOLL NO.3

APN: 25877  
Ref Parcel #: R3208BC 00200  
Taxes: \$938.02  
Market Value: \$102,326  
Assessed Value: \$63,324  
Sales Price: \$2,500  
Transfer Date: 10/4/2012



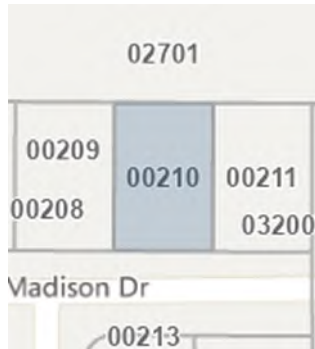
Legal Owner: Jaemi & Kyle Mesneak  
Site Address: 1001 E Madison Dr Newberg, OR 97132  
Mailing Address: 1001 E Madison Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,508                      Lot Acres: 0.26  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00203 LOT 12

APN: 519787  
Ref Parcel #: R3208BC 00203  
Taxes: \$5,136.03  
Market Value: \$555,921  
Assessed Value: \$346,722  
Sales Price: \$529,655  
Transfer Date: 6/30/2021



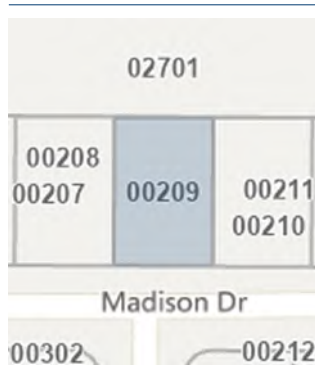
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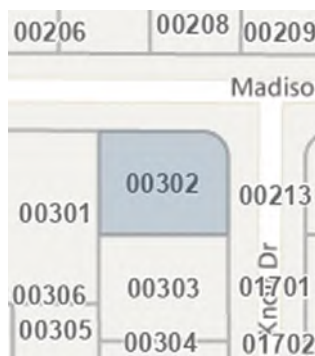
Legal Owner: Kerry & Monica Tweet  
Site Address: 1215 E Madison Dr Newberg, OR 97132  
Mailing Address: 1215 E Madison Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 2,410                      Lot Acres: 0.17  
Year Built: 2001  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00210 LOT 19

APN: 519808  
Ref Parcel #: R3208BC 00210  
Taxes: \$4,883.24  
Market Value: \$516,473  
Assessed Value: \$329,657  
Sales Price: \$0  
Transfer Date:



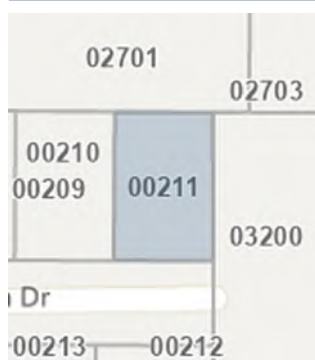
Legal Owner: Jeffery & Heidi Jones  
Site Address: 1201 E Madison Dr Newberg, OR 97132  
Mailing Address: 17305 NE Leander Dr Sherwood, OR 97140  
Bedrooms: 3  
Bathrooms: 2  
Building SqFt: 1,744                      Lot Acres: 0.17  
Year Built: 2001  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00209 LOT 18

APN: 519805  
Ref Parcel #: R3208BC 00209  
Taxes: \$3,741.94  
Market Value: \$415,054  
Assessed Value: \$252,610  
Sales Price: \$212,500  
Transfer Date: 11/15/2011



Legal Owner: Michael Mcconaughey & Adina Briggs-Mcconaughey  
Site Address: 3719 N Knoll Dr Newberg, OR 97132  
Mailing Address: 3719 N Knoll Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,998                      Lot Acres: 0.19  
Year Built: 2013  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00302 LOT 7

APN: 519826  
Ref Parcel #: R3208BC 00302  
Taxes: \$6,578.76  
Market Value: \$657,637  
Assessed Value: \$444,118  
Sales Price: \$528,250  
Transfer Date: 8/12/2016



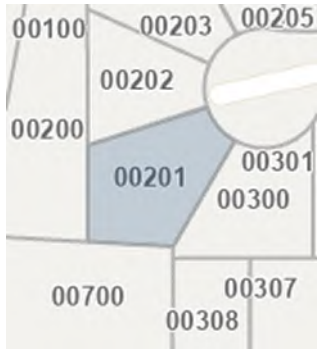
Legal Owner: Gregory & Elizabeth Woolsey  
Site Address: 1225 E Madison Dr Newberg, OR 97132  
Mailing Address: 1225 E Madison Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,372                      Lot Acres: 0.17  
Year Built: 2001  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00211 LOT 20

APN: 519811  
Ref Parcel #: R3208BC 00211  
Taxes: \$4,854.82  
Market Value: \$500,674  
Assessed Value: \$327,738  
Sales Price: \$0  
Transfer Date:



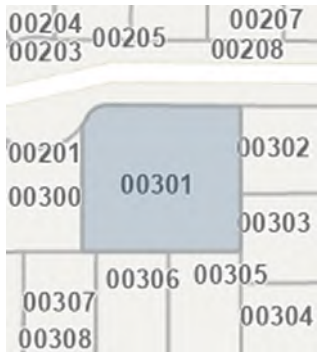
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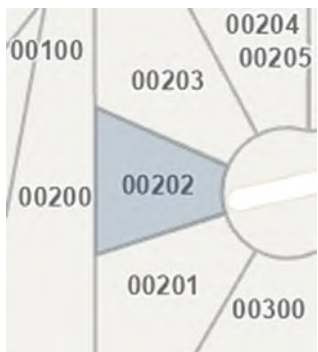
Legal Owner: John & Heather Orr  
Site Address: 1006 E Madison Dr Newberg, OR 97132  
Mailing Address: 1006 E Madison Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 5  
Building SqFt: 2,506                      Lot Acres: 0.24  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: LOT 10 IN THE SUMMIT AT OAK KNOLL NO.3

APN: 519781  
Ref Parcel #: R3208BC 00201  
Taxes: \$5,233.51  
Market Value: \$570,723  
Assessed Value: \$353,303  
Sales Price: \$490,000  
Transfer Date: 11/30/2018



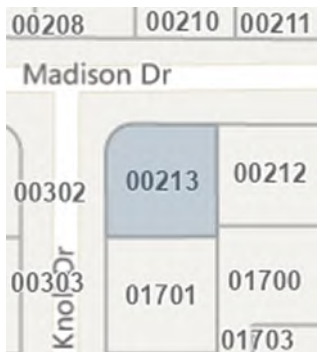
Legal Owner: Nancy Sandager  
Site Address: 1100 E Madison Dr Newberg, OR 97132  
Mailing Address: 1100 E Madison Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2.5  
Building SqFt: 2,886                      Lot Acres: 0.45  
Year Built: 1958  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00301 LOT 8

APN: 519823  
Ref Parcel #: R3208BC 00301  
Taxes: \$4,806.98  
Market Value: \$520,207  
Assessed Value: \$324,509  
Sales Price: \$331,102  
Transfer Date: 12/26/2014



Legal Owner: Joseph & Nicole Hamilton  
Site Address: 1000 E Madison Dr Newberg, OR 97132  
Mailing Address: 1000 E Madison Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,657                      Lot Acres: 0.18  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00202 LOT 11

APN: 519784  
Ref Parcel #: R3208BC 00202  
Taxes: \$5,123.14  
Market Value: \$555,030  
Assessed Value: \$345,852  
Sales Price: \$590,000  
Transfer Date: 6/2/2021



Legal Owner: Christopher & Sharleen Schneider  
Site Address: 3720 N Knoll Dr Newberg, OR 97132  
Mailing Address: 3720 N Knoll Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 1,784                      Lot Acres: 0.14  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00213 LOT 22

APN: 519817  
Ref Parcel #: R3208BC 00213  
Taxes: \$3,897.85  
Market Value: \$427,338  
Assessed Value: \$263,135  
Sales Price: \$0  
Transfer Date:



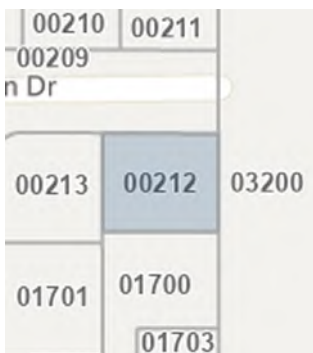
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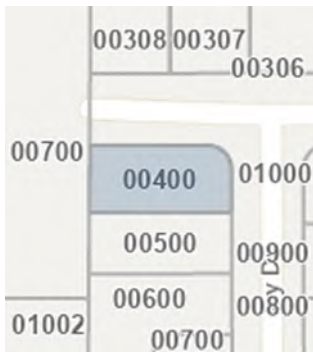
Legal Owner: Veritas School  
Site Address: No Site Address Newberg, OR 97132  
Mailing Address: 26288 NE Bell Rd Newberg, OR 97132  
Bedrooms: 0  
Bathrooms: 0  
Building SqFt: 0                      Lot Acres: 5.00  
Year Built: 0  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 529351  
Ref Parcel #: R3208 02702  
Taxes: \$0.00  
Market Value: \$2,258,368  
Assessed Value: \$182,352  
Sales Price: \$0  
Transfer Date:



Legal Owner: William & Melissa Thomas  
Site Address: 1212 E Madison Dr Newberg, OR 97132  
Mailing Address: 1212 E Madison Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2  
Building SqFt: 1,674                      Lot Acres: 0.14  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00212 LOT 21

APN: 519814  
Ref Parcel #: R3208BC 00212  
Taxes: \$4,142.56  
Market Value: \$432,590  
Assessed Value: \$279,655  
Sales Price: \$274,000  
Transfer Date: 3/20/2015



Legal Owner: Leroy & Jennifer Esmond  
Site Address: 3625 N Ivy Dr Newberg, OR 97132  
Mailing Address: 3625 N Ivy Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 1,488                      Lot Acres: 0.15  
Year Built: 2000  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00400 LOT 11

APN: 517309  
Ref Parcel #: R3208BC 00400  
Taxes: \$3,211.94  
Market Value: \$364,171  
Assessed Value: \$216,831  
Sales Price: \$0  
Transfer Date:



Legal Owner: Somerset Ventures Iv Llc  
Site Address: 3705 NE Aspen Way Newberg, OR 97132  
Mailing Address: Po Box 1060 Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 2.5  
Building SqFt: 3,504                      Lot Acres: 15.69  
Year Built: 1992  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 TAXLOT 03200

APN: 25911  
Ref Parcel #: R3208 03200  
Taxes: \$7,684.75  
Market Value: \$912,013  
Assessed Value: \$631,928  
Sales Price: \$2,750,000  
Transfer Date: 5/22/2006



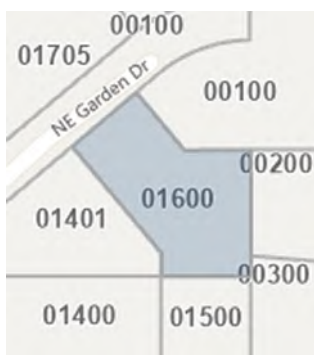
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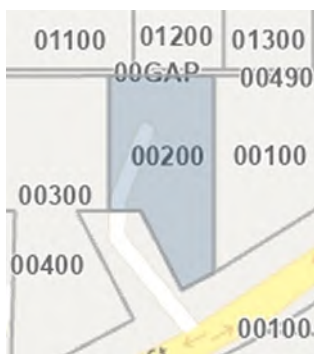
Legal Owner: John & Shirley Milroy  
Site Address: 3855 N College St Newberg, OR 97132  
Mailing Address: 1102 N Springbrook Rd # 251 Newberg, OR  
Bedrooms: 0  
Bathrooms: 0  
Building SqFt: 2,233 Lot Acres: 0.76  
Year Built: 2017  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 23931  
Ref Parcel #: R3207AD 00100  
Taxes: \$4,132.20  
Market Value: \$757,842  
Assessed Value: \$339,797  
Sales Price: \$40,000  
Transfer Date: 8/11/2015



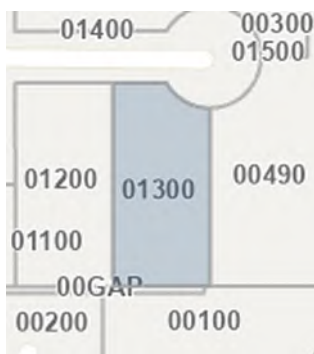
Legal Owner: Olson Melvin R & Marilyn K Olson Melvin & Marilyn Trust  
Site Address:   
Mailing Address: 12575 Greenleaf Dr Newberg, OR 97132  
Bedrooms: 5  
Bathrooms: 2  
Building SqFt: 3,766 Lot Acres: 0.52  
Year Built: 1961  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 01600

APN: 24949  
Ref Parcel #: R3207AA 01600  
Taxes: \$4,694.02  
Market Value: \$580,903  
Assessed Value: \$385,996  
Sales Price: \$0  
Transfer Date:



Legal Owner: Larry & Jennifer McWilliams  
Site Address: 3735 N College St Newberg, OR 97132  
Mailing Address: Po Box 1033 Newberg, OR 97132  
Bedrooms: 0  
Bathrooms: 1  
Building SqFt: 1,540 Lot Acres: 0.53  
Year Built: 2016  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR D TAXLOT 00200

APN: 23968  
Ref Parcel #: R3207AD 00200  
Taxes: \$1,640.35  
Market Value: \$367,843  
Assessed Value: \$134,888  
Sales Price: \$139,900  
Transfer Date: 8/18/2015



Legal Owner: Kurt Lorenzen & Trisha Shogren  
Site Address: 912 NE Camelia Dr Newberg, OR 97132  
Mailing Address: 912 NE Camelia Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2.5  
Building SqFt: 1,882 Lot Acres: 0.42  
Year Built: 1956  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 01300 LOT 10

APN: 24912  
Ref Parcel #: R3207AA 01300  
Taxes: \$2,336.88  
Market Value: \$353,288  
Assessed Value: \$192,165  
Sales Price: \$306,000  
Transfer Date: 6/25/2015





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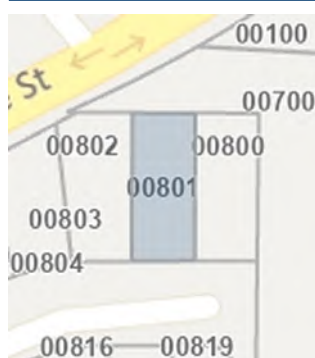
Legal Owner: Joseph Ourada  
Site Address: 3715 N Knoll Dr Newberg, OR 97132  
Mailing Address: 3715 N Knoll Dr Newberg, OR 97132  
Bedrooms: 5  
Bathrooms: 3  
Building SqFt: 2,965 Lot Acres: 0.19  
Year Built: 2012  
School District: Newberg School District 29j  
Neighborhood:  
Legal: LOT 6 IN THE SUMMIT AT OAK KNOLL NO.3

APN: 519829  
Ref Parcel #: R3208BC 00303  
Taxes: \$6,037.00  
Market Value: \$661,160  
Assessed Value: \$407,545  
Sales Price: \$596,900  
Transfer Date: 6/3/2019



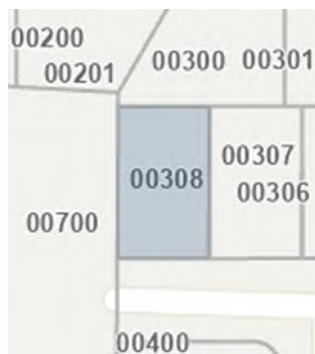
Legal Owner: Ila & John Wardin  
Site Address: 3720 N College St Newberg, OR 97132  
Mailing Address: Po Box 53 Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 2  
Building SqFt: 2,520 Lot Acres: 2.62  
Year Built: 1965  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR D TAXLOT 00700

APN: 24039  
Ref Parcel #: R3207AD 00700  
Taxes: \$5,596.68  
Market Value: \$645,277  
Assessed Value: \$460,223  
Sales Price: \$0  
Transfer Date:



Legal Owner: Kelly Grant  
Site Address: 823 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 823 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2.5  
Building SqFt: 1,360 Lot Acres: 0.11  
Year Built: 2003  
School District: Newberg School District 29j  
Neighborhood:  
Legal: LOT 9 IN COTTAGES AT OAK KNOLL

APN: 521380  
Ref Parcel #: R3207AD 00801  
Taxes: \$2,892.42  
Market Value: \$346,583  
Assessed Value: \$195,261  
Sales Price: \$370,000  
Transfer Date: 5/28/2020



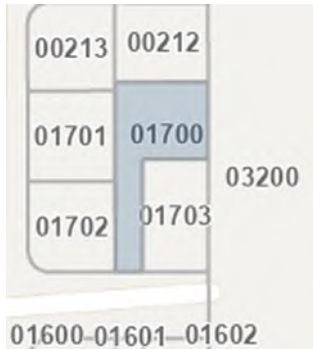
Legal Owner: Kyle Haynes & Kim White  
Site Address: 1015 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1015 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,576 Lot Acres: 0.17  
Year Built: 2008  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00308 LOT 1

APN: 519844  
Ref Parcel #: R3208BC 00308  
Taxes: \$4,367.67  
Market Value: \$524,813  
Assessed Value: \$294,852  
Sales Price: \$415,000  
Transfer Date: 8/20/2015



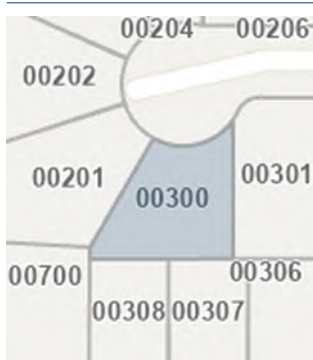
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Legal Owner: Cynthia Fox-Course  
Site Address: 1207 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1207 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 2  
Building SqFt: 1,619                      Lot Acres: 0.19  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 01700 LOT 5

APN: 517348  
Ref Parcel #: R3208BC 01700  
Taxes: \$3,245.33  
Market Value: \$346,584  
Assessed Value: \$219,085  
Sales Price: \$253,000  
Transfer Date: 6/9/2009



Legal Owner: John & Bridget Hunsinger  
Site Address: 1010 E Madison Dr Newberg, OR 97132  
Mailing Address: 1010 E Madison Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,838                      Lot Acres: 0.22  
Year Built: 2012  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00300 LOT 9

APN: 25895  
Ref Parcel #: R3208BC 00300  
Taxes: \$5,981.20  
Market Value: \$649,904  
Assessed Value: \$403,778  
Sales Price: \$381,832  
Transfer Date: 10/10/2012



Legal Owner: Gwen Mestre  
Site Address: 3710 N Knoll Dr Newberg, OR 97132  
Mailing Address: 3710 N Knoll Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 2  
Building SqFt: 1,570                      Lot Acres: 0.15  
Year Built: 2001  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 01701 LOT 7

APN: 518182  
Ref Parcel #: R3208BC 01701  
Taxes: \$3,272.02  
Market Value: \$363,525  
Assessed Value: \$220,887  
Sales Price: \$361,500  
Transfer Date: 2/2/2018



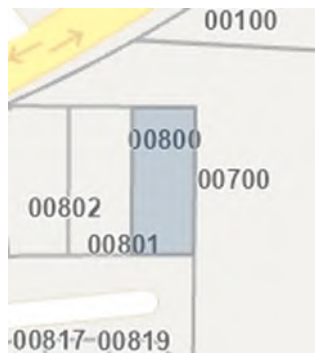
Legal Owner: Lori Durand  
Site Address: 819 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 3658 NE Jacob St McMinnville, OR 97128  
Bedrooms: 3  
Bathrooms: 2  
Building SqFt: 1,242                      Lot Acres: 0.12  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: LOT 10 IN COTTAGES AT OAK KNOLL

APN: 521383  
Ref Parcel #: R3207AD 00802  
Taxes: \$2,956.86  
Market Value: \$333,072  
Assessed Value: \$199,611  
Sales Price: \$365,000  
Transfer Date: 9/10/2021



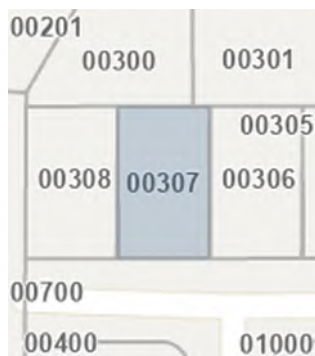
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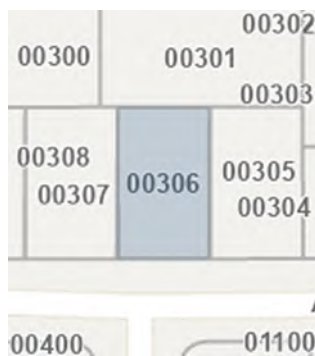
Legal Owner: Brian & Amy Ruden  
Site Address: 825 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1688 NW Emerson Ct Mcminville, OR  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 1,368                      Lot Acres: 0.11  
Year Built: 2002  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR D TAXLOT 00800 LOT 8

APN: 24048  
Ref Parcel #: R3207AD 00800  
Taxes: \$2,917.03  
Market Value: \$343,722  
Assessed Value: \$196,922  
Sales Price: \$243,900  
Transfer Date: 5/31/2006



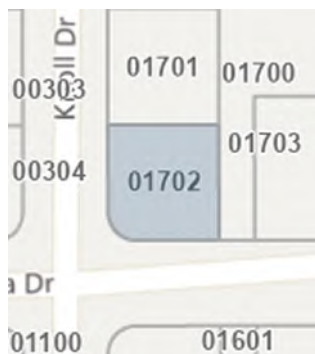
Legal Owner: Cindy Johnson  
Site Address: 1025 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1025 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 2,556                      Lot Acres: 0.17  
Year Built: 2012  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00307 LOT 2

APN: 519841  
Ref Parcel #: R3208BC 00307  
Taxes: \$5,919.34  
Market Value: \$596,567  
Assessed Value: \$399,602  
Sales Price: \$359,500  
Transfer Date: 6/11/2012



Legal Owner: Phillip & Kathleen Dietrich  
Site Address: 1101 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1101 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 2.5  
Building SqFt: 2,781                      Lot Acres: 0.17  
Year Built: 2014  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00306 LOT 3

APN: 519838  
Ref Parcel #: R3208BC 00306  
Taxes: \$6,787.85  
Market Value: \$633,002  
Assessed Value: \$458,233  
Sales Price: \$469,900  
Transfer Date: 2/26/2015



Legal Owner: Rachel Leavy  
Site Address: 1201 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1201 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 3  
Building SqFt: 1,938                      Lot Acres: 0.15  
Year Built: 2001  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 01702 LOT 6

APN: 518185  
Ref Parcel #: R3208BC 01702  
Taxes: \$4,064.69  
Market Value: \$453,425  
Assessed Value: \$274,398  
Sales Price: \$337,000  
Transfer Date: 10/20/2017



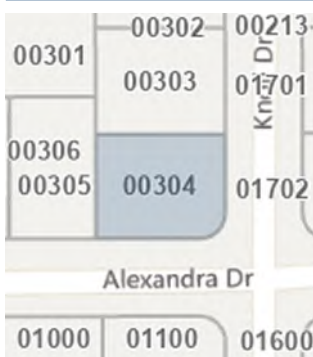
First American Title™

Customer Service Department  
Phone: 503.219.8746(TRIO)  
Email: cs.oregon@firstam.com  
Report Generated: 10/1/2021



Legal Owner: North Valley Friends Church  
Site Address: 4020 N College St Newberg, OR 97132  
Mailing Address: 4020 N College St Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2  
Building SqFt: 1,510                      Lot Acres: 4.28  
Year Built: 2009  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 25724  
Ref Parcel #: R3208 02701  
Taxes: \$1,791.57  
Market Value: \$1,645,058  
Assessed Value: \$1,550,583  
Sales Price: \$0  
Transfer Date:



Legal Owner: Jessica Bagley-Routt & Allen Routt  
Site Address: 1125 N Alexandra Dr Newberg, OR 97132  
Mailing Address: 1125 N Alexandra Dr Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 3  
Building SqFt: 2,897                      Lot Acres: 0.19  
Year Built: 2013  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 08 QTR B QQTR C TAXLOT 00304 LOT 5

APN: 519832  
Ref Parcel #: R3208BC 00304  
Taxes: \$5,903.57  
Market Value: \$615,340  
Assessed Value: \$398,537  
Sales Price: \$465,000  
Transfer Date: 12/12/2014



Legal Owner: GIS GAP Non-Taxlot  
Site Address: No Site Address , OR  
Mailing Address: ,  
Bedrooms:  
Bathrooms:  
Building SqFt:                      Lot Acres:  
Year Built:  
School District: Newberg School District 29j  
Neighborhood:  
Legal:

APN:  
Ref Parcel #: R3207AD 00GAP  
Taxes:  
Market Value:  
Assessed Value:  
Sales Price:  
Transfer Date:



Legal Owner: North Valley Friends Church  
Site Address: 26500 NE Bell Rd Newberg, OR 97132  
Mailing Address: 4020 N College St Newberg, OR 97132  
Bedrooms: 0  
Bathrooms: 0  
Building SqFt: 0                      Lot Acres: 8.35  
Year Built: 0  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 25706  
Ref Parcel #: R3208 02700  
Taxes: \$2,018.27  
Market Value: \$199,554  
Assessed Value: \$196,978  
Sales Price: \$250,000  
Transfer Date: 3/1/2005



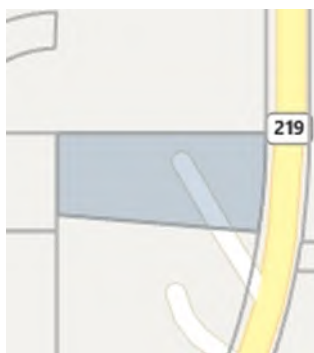
First American Title™

Customer Service Department  
Phone: 503.219.8746(TRIO)  
Email: cs.oregon@firstam.com  
Report Generated: 10/1/2021



Legal Owner: Newberg Gospel Chapel Inc  
Site Address: 4301 N College St Newberg, OR 97132  
Mailing Address: 4301 N College St Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 1  
Building SqFt: 1,568                      Lot Acres: 5.33  
Year Built: 1900  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 24789  
Ref Parcel #: R3207AA 00100  
Taxes: \$846.16  
Market Value: \$1,057,193  
Assessed Value: \$773,118  
Sales Price: \$0  
Transfer Date:



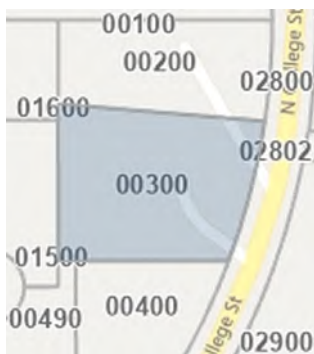
Legal Owner: Debralyn Evans  
Site Address: 4009 N College St Newberg, OR 97132  
Mailing Address: 4009 N College St Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2.5  
Building SqFt: 2,419                      Lot Acres: 0.80  
Year Built: 1962  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 00200

APN: 24798  
Ref Parcel #: R3207AA 00200  
Taxes: \$3,661.22  
Market Value: \$373,410  
Assessed Value: \$301,067  
Sales Price: \$425,000  
Transfer Date: 6/12/2015



Legal Owner: J William & Myrlene Rourke  
Site Address: 4016 N College St Newberg, OR 97132  
Mailing Address: 1201 E Fulton St Newberg, OR 97132  
Bedrooms: 3  
Bathrooms: 2  
Building SqFt: 2,088                      Lot Acres: 2.29  
Year Built: 1973  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 25859  
Ref Parcel #: R3208 02900  
Taxes: \$4,569.77  
Market Value: \$592,521  
Assessed Value: \$375,779  
Sales Price: \$0  
Transfer Date:



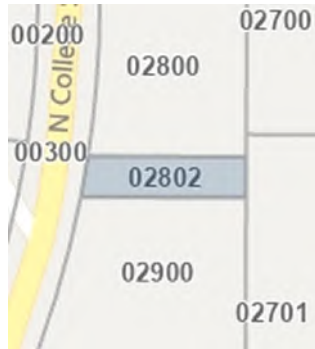
Legal Owner: Lawrence Joholske & Sandra Stone  
Site Address: 3993 N College St Newberg, OR 97132  
Mailing Address: 3993 N College St Newberg, OR 97132  
Bedrooms: 4  
Bathrooms: 4.5  
Building SqFt: 3,320                      Lot Acres: 1.20  
Year Built: 2016  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 00300

APN: 24805  
Ref Parcel #: R3207AA 00300  
Taxes: \$4,471.03  
Market Value: \$689,684  
Assessed Value: \$367,659  
Sales Price: \$961,000  
Transfer Date: 10/27/2020



First American Title™

Customer Service Department  
Phone: 503.219.8746(TRIO)  
Email: cs.oregon@firstam.com  
Report Generated: 10/1/2021



Legal Owner: North Valley Friends Church  
Site Address: No Site Address Newberg, OR 97132  
Mailing Address: 4020 N College St Newberg, OR 97132  
Bedrooms: 0  
Bathrooms: 0  
Building SqFt: 0                      Lot Acres: 0.14  
Year Built: 0  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 25831  
Ref Parcel #: R3208 02802  
Taxes: \$0.00  
Market Value: \$3,346  
Assessed Value: \$3,346  
Sales Price: \$0  
Transfer Date:



Legal Owner: North Valley Friends Church  
Site Address: No Site Address Newberg, OR 97132  
Mailing Address: 4020 N College St Newberg, OR 97132  
Bedrooms: 0  
Bathrooms: 0  
Building SqFt: 0                      Lot Acres: 3.00  
Year Built: 0  
School District: Newberg School District 29j  
Neighborhood:  
Legal: SEE METES & BOUNDS

APN: 25779  
Ref Parcel #: R3208 02800  
Taxes: \$1,044.77  
Market Value: \$71,697  
Assessed Value: \$71,697  
Sales Price: \$0  
Transfer Date:



Legal Owner: Jerry & Marie Brown  
Site Address: 3909 N College St Newberg, OR 97132  
Mailing Address: 1180 SW 9th St Dundee, OR 97115  
Bedrooms: 2  
Bathrooms: 1  
Building SqFt: 736                      Lot Acres: 0.80  
Year Built: 1950  
School District: Newberg School District 29j  
Neighborhood:  
Legal: TOWNSHIP 3S RANGE 2W SECTION 07 QTR A QQTR A TAXLOT 00400

APN: 24814  
Ref Parcel #: R3207AA 00400  
Taxes: \$1,732.34  
Market Value: \$333,130  
Assessed Value: \$142,453  
Sales Price: \$0  
Transfer Date:

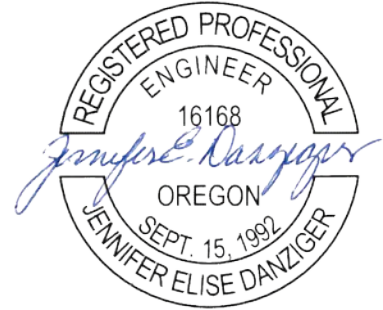
## Exhibit F: Traffic Memo

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## Memorandum

To: Doug Rux, AICP, Community Development Director  
Copy: Bill Rourke  
Glen Southerland, AKS Engineering & Forestry, LLC  
From: Jennifer Danziger, PE  
Date: October 12, 2021  
Subject: Rourke Development Subdivision (4016 N College Street)



RENEWS: 12-31-21

## Introduction

A 12-unit subdivision is proposed for the property located at 4016 N College Street in Newberg, Oregon. As shown in the attached preliminary plat, the single-family homes will all take access from Rourke Court, which will connect with OR 219/N College Street.

In the City of Newberg pre-application meeting notes from the meeting on July 28, 2021, the Engineering comments indicate that a full traffic study will not be required; however, they requested an estimate of trip generation for the subdivision and a calculation of the number of trips anticipated to travel through the OR 219/N College Street and Foothills Drive intersection. This memorandum addresses this request.

## Trip Generation

To estimate the number of trips that will be generated by the existing and proposed uses, trip rates from the *Trip Generation Manual*<sup>1</sup> were used. Specifically, data from the following land use code 221, Single-Family Detached Housing, was used to estimate site trip generation based on the number of dwelling units.

As presented in Table 1, the proposed 12-unit subdivision is estimated to generate 9 morning peak hour, 12 evening peak hour, and 122 daily weekday trips.

**Table 1: Trip Generation**

ITE Code	Intensity	Morning Peak Hour			Evening Peak Hour			Daily Trips
		In	Out	Total	In	Out	Total	
210 – Single-Family Detached Housing	12 Dwelling Units	2	7	9	8	4	12	122

<sup>1</sup> Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 11<sup>th</sup> Edition, 2021.



## Trip Distribution and Assignment

Trip distribution for the proposed subdivision was estimated from a two-day, directional count collected on OR 219/N College Street 0.02 miles south of intersection NE North Valley Road/NE Bell Road in April 2018. This location is less than 1,000 feet north of the site access. This count was obtained from the Oregon Traffic Monitoring System database. No other nearby count locations show directional split information.

The count data shows the following directional split based on peak period (5:00 – 9:00 AM and 3:00 – 7:00 PM) travel patterns:

- 65 percent of traffic travels to/from the north on OR 219
- 35 percent of traffic travels to/from the south on OR 219

Over the rest of the day, the directional split is approximately 50 percent in either direction.

The morning and evening peak 4-hour periods account for approximately half the daily trips from home while the other half occurs over the remaining 16 hours. Table 2 presents the estimated trip distribution and assignment using the following assumptions:

- 65 percent of traffic travels to/from the north on OR 219 from 5:00 – 9:00 AM and 3:00 – 7:00 PM
- 35 percent of traffic travels to/from the south on OR 219 from 5:00 – 9:00 AM and 3:00 – 7:00 PM
- 50 percent of traffic travels to/from the north on OR 219 all other hours
- 50 percent of traffic travels to/from the south on OR 219 all other hours
- 50 percent of daily trips are generated between 5:00 – 9:00 AM and 3:00 – 7:00 PM and the remaining 50 percent of daily trips are generated over the other 16 hours

**Table 2: Trip Distribution and Assignment on OR 219/N College Street**

ITE Code	Distribution		Assigned Trips		
	to/from North	to/from South	Total	to/from North	to/from South
Morning Peak Hour	65%	35%	9	6	3
Evening Peak Hour	65%	35%	12	8	4
<i>Peak Periods (50%)</i> 5:00 – 9:00 AM & 3:00 – 7:00 PM	65%	35%	61	40	21
<i>Other Periods (50%)</i>	50%	50%	61	30	31
Daily	-	-	122	70	52

## Intersection Impact

Based on the trip distribution in the table above, 3 morning peak hour, 4 evening peak hour, and 52 daily trips from the site would travel through the intersection of OR 219/N College Street and Foothills Drive.



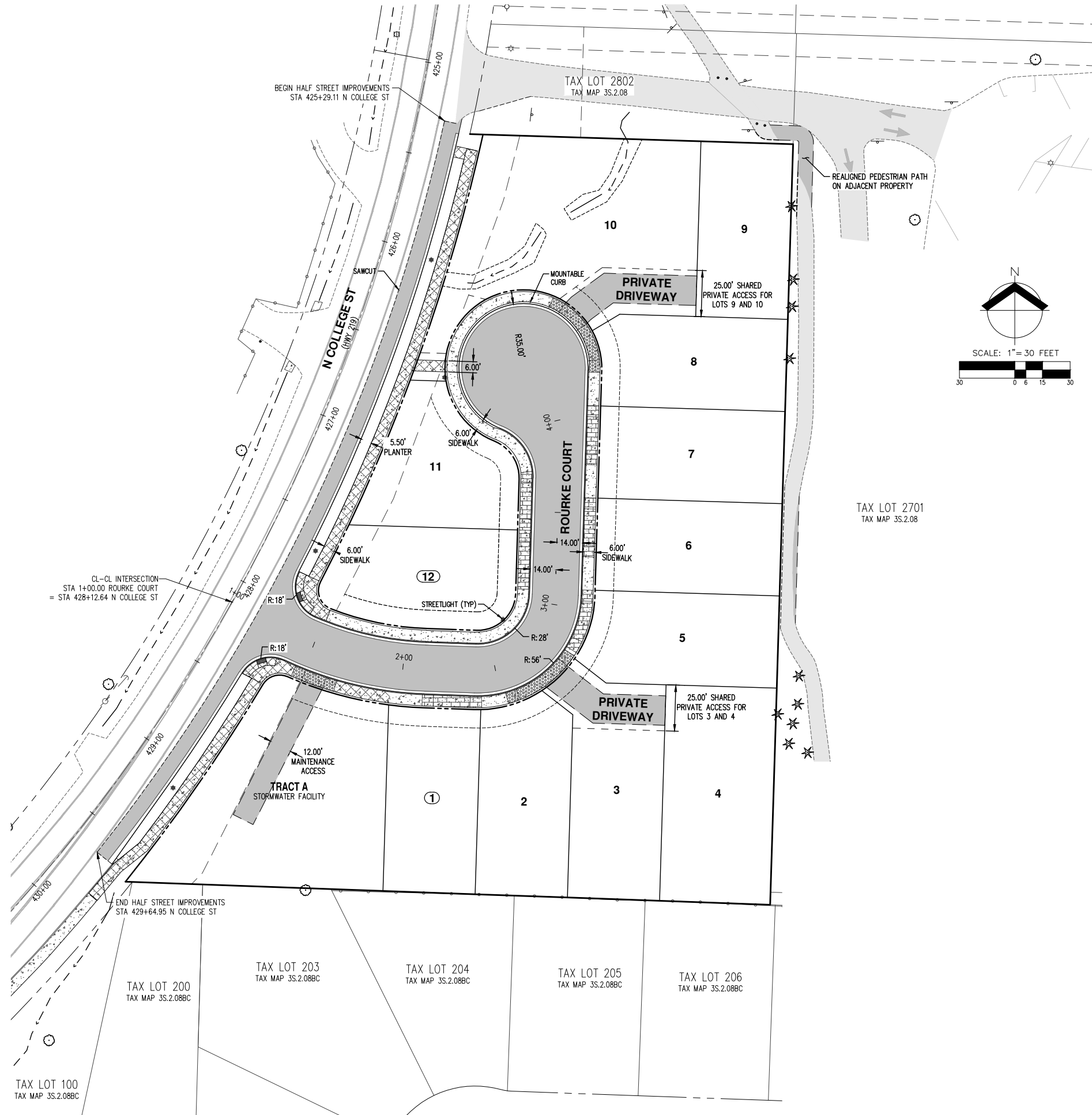
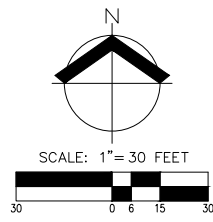
**PRELIMINARY STREET PLAN  
 ROURKE DEVELOPMENT SUBDIVISION  
 NEWBERG, OREGON**



RENEWAL DATE: 6/30/22  
 JOB NUMBER: 4612  
 DATE: 09/28/2021  
 DESIGNED BY: CH  
 DRAWN BY: CH  
 CHECKED BY: PAS

**LEGEND**

- CONCRETE SIDEWALK CONSTRUCTED BY CONTRACTOR
- CONCRETE SIDEWALK CONSTRUCTED BY HOME BUILDER
- EXISTING AC PAVEMENT
- NEW AC PAVEMENT BY CONTRACTOR
- RESIDENTIAL CONCRETE DRIVEWAY BY HOME BUILDER
- RESIDENTIAL CONCRETE DRIVEWAY BY CONTRACTOR
- ADA RAMP CONSTRUCTED BY CONTRACTOR





## TRIP GENERATION CALCULATIONS

*Land Use:* Single-Family Detached Housing

*Land Use Code:* 210

*Setting/Location:* General Urban/Suburban

*Variable:* Dwelling Units

*Variable Value:* 13

### AM PEAK HOUR

*Trip Rate:* 0.7

	Enter	Exit	Total
Directional Distribution	26%	74%	
Trip Ends	2	7	9

### PM PEAK HOUR

*Trip Rate:* 0.94

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	8	4	12

### WEEKDAY

*Trip Rate:* 9.43

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	61	61	122

### SATURDAY

*Trip Rate:* 9.48

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	62	62	124

Location Info	
Location ID	
Type	I-SECTION
Functional Class	4
Located On	HILLSBORO-SILVERTON HIGHWAY NO. 140
SOUTH OF	NE North Valley Rd and NE Bell Rd [0.02 miles]
Direction	
Community	
MPO_ID	
HPMS ID	
Agency	Oregon Traffic Monitoring System

Interval: 15 mins											
Time	Count				2-Day Volume			Directional Split		NB	SB
	NB1	NB2	SB1	SB2	NB	SB	Total	NB	SB		
00:00 - 01:00	7	3	4	6	10	10	20	50%	50%		
01:00 - 02:00	0	5	2	5	5	7	12	42%	58%		
02:00 - 03:00	11	7	3	3	18	6	24	75%	25%		
03:00 - 04:00	9	14	7	9	23	16	39	59%	41%		
04:00 - 05:00	28	60	13	17	88	30	118	75%	25%		
05:00 - 06:00	134	171	40	46	305	86	391	78%	22%	66%	34%
06:00 - 07:00	269	297	113	139	566	252	818	69%	31%		
07:00 - 08:00	296	258	148	194	554	342	896	62%	38%		
08:00 - 09:00	183	151	176	96	334	272	606	55%	45%		
09:00 - 10:00	121	84	110	115	205	225	430	48%	52%		
10:00 - 11:00	99	115	111	129	214	240	454	47%	53%		
11:00 - 12:00	112	130	151	132	242	283	525	46%	54%		
12:00 - 13:00	131	110	141	139	241	280	521	46%	54%		
13:00 - 14:00	115	126	147	140	241	287	528	46%	54%		
14:00 - 15:00	201	178	204	242	379	446	825	46%	54%	NB	SB
15:00 - 16:00	165	192	307	338	357	645	1002	36%	64%	35%	65%
16:00 - 17:00	173	202	402	423	375	825	1200	31%	69%		
17:00 - 18:00	159	153	300	268	312	568	880	35%	65%		
18:00 - 19:00	103	100	187	145	203	332	535	38%	62%		
19:00 - 20:00	86	98	105	109	184	214	398	46%	54%		
20:00 - 21:00	63	71	62	80	134	142	276	49%	51%		
21:00 - 22:00	43	31	44	36	74	80	154	48%	52%		
22:00 - 23:00	23	8	24	23	31	47	78	40%	60%		
23:00 - 24:00	5	11	4	4	16	8	24	67%	33%		
TOTAL					5111	5643	10754	48%	52%		
				Off-Peak	2105	2321	4426	48%	52%		

Location Info		Count Data Info	
Location ID	38728_NB	Start Date	4/24/2018
Type	I-SECTION	End Date	4/25/2018
Functional Class	4	Start Time	10:00 AM
Located On	HILLSBORO-SILVERTON HIGHWAY NO. 140	End Time	10:00 AM
SOUTH OF	NE North Valley Rd and NE Bell Rd [0.02 miles]	Direction	NB
Direction	NB	Notes	
Community		Count Source	
MPO_ID		File Name	Vol_Short
HPMS ID		Weather	
Agency	Oregon Traffic Monitoring System	Study	
		Owner	LEGACY
		QC Status	Accepted

Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	1	2	2	2	7
01:00 - 02:00	0	0	0	0	0
02:00 - 03:00	2	4	4	1	11
03:00 - 04:00	2	2	3	2	9
04:00 - 05:00	4	4	8	12	28
05:00 - 06:00	26	21	34	53	134
06:00 - 07:00	58	68	57	86	269
07:00 - 08:00	70	66	70	90	296
08:00 - 09:00	78	40	31	34	183
09:00 - 10:00	33	31	26	31	121
10:00 - 11:00	28	26	19	26	99
11:00 - 12:00	28	22	28	34	112
12:00 - 13:00	40	34	24	33	131
13:00 - 14:00	23	32	32	28	115
14:00 - 15:00	35	44	60	62	201
15:00 - 16:00	42	38	44	41	165
16:00 - 17:00	44	41	44	44	173
17:00 - 18:00	46	41	44	28	159
18:00 - 19:00	38	20	23	22	103
19:00 - 20:00	20	22	23	21	86
20:00 - 21:00	17	26	9	11	63
21:00 - 22:00	10	20	3	10	43
22:00 - 23:00	10	8	2	3	23
23:00 - 24:00	1	2	1	1	5
TOTAL					2536

Location Info		Count Data Info	
Location ID	38728_NB	Start Date	4/25/2018
Type	I-SECTION	End Date	4/26/2018
Functional Class	4	Start Time	10:00 AM
Located On	HILLSBORO-SILVERTON HIGHWAY NO. 140	End Time	10:00 AM
SOUTH OF	NE North Valley Rd and NE Bell Rd [0.02 miles]	Direction	NB
Direction	NB	Notes	
Community		Count Source	
MPO_ID		File Name	Vol_Short
HPMS ID		Weather	
Agency	Oregon Traffic Monitoring System	Study	
		Owner	LEGACY
		QC Status	Accepted

Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	0	3	0	0	3
01:00 - 02:00	0	1	1	3	5
02:00 - 03:00	0	1	4	2	7
03:00 - 04:00	4	3	3	4	14
04:00 - 05:00	5	16	15	24	60
05:00 - 06:00	32	33	48	58	171
06:00 - 07:00	70	65	98	64	297
07:00 - 08:00	62	70	78	48	258
08:00 - 09:00	40	37	36	38	151
09:00 - 10:00	18	22	20	24	84
10:00 - 11:00	35	21	25	34	115
11:00 - 12:00	26	48	25	31	130
12:00 - 13:00	24	25	29	32	110
13:00 - 14:00	34	35	29	28	126
14:00 - 15:00	38	48	50	42	178
15:00 - 16:00	36	54	50	52	192
16:00 - 17:00	42	48	60	52	202
17:00 - 18:00	44	33	40	36	153
18:00 - 19:00	22	32	25	21	100
19:00 - 20:00	22	30	20	26	98
20:00 - 21:00	20	20	16	15	71
21:00 - 22:00	13	7	5	6	31
22:00 - 23:00	2	2	1	3	8
23:00 - 24:00	3	5	0	3	11
TOTAL					2575

Location Info		Count Data Info	
Location ID	38728_SB	Start Date	4/24/2018
Type	I-SECTION	End Date	4/25/2018
Functional Class	4	Start Time	10:00 AM
Located On	HILLSBORO-SILVERTON HIGHWAY NO. 140	End Time	10:00 AM
SOUTH OF	NE North Valley Rd and NE Bell Rd [0.02 miles]	Direction	SB
Direction	SB	Notes	
Community		Count Source	
MPO_ID		File Name	Vol_Short
HPMS ID		Weather	
Agency	Oregon Traffic Monitoring System	Study	
		Owner	LEGACY
		QC Status	Accepted

Interval: 15 mins						
Time	15 Min				Hourly Count	
	1st	2nd	3rd	4th		
00:00 - 01:00	1	1	1	1	4	
01:00 - 02:00	1	1	0	0	2	
02:00 - 03:00	0	0	2	1	3	
03:00 - 04:00	2	1	2	2	7	
04:00 - 05:00	1	1	5	6	13	
05:00 - 06:00	8	6	9	17	40	
06:00 - 07:00	17	26	32	38	113	
07:00 - 08:00	34	34	28	52	148	
08:00 - 09:00	53	43	37	43	176	
09:00 - 10:00	32	24	28	26	110	
10:00 - 11:00	24	28	32	27	111	
11:00 - 12:00	27	40	44	40	151	
12:00 - 13:00	35	37	27	42	141	
13:00 - 14:00	29	27	49	42	147	
14:00 - 15:00	38	29	54	83	204	
15:00 - 16:00	95	66	70	76	307	
16:00 - 17:00	78	104	102	118	402	
17:00 - 18:00	76	82	86	56	300	
18:00 - 19:00	58	42	55	32	187	
19:00 - 20:00	30	30	19	26	105	
20:00 - 21:00	13	20	15	14	62	
21:00 - 22:00	12	12	10	10	44	
22:00 - 23:00	3	3	10	8	24	
23:00 - 24:00	2	1	0	1	4	
TOTAL					2805	

Location Info		Count Data Info	
Location ID	38728_SB	Start Date	4/25/2018
Type	I-SECTION	End Date	4/26/2018
Functional Class	4	Start Time	10:00 AM
Located On	HILLSBORO-SILVERTON HIGHWAY NO. 140	End Time	10:00 AM
SOUTH OF	NE North Valley Rd and NE Bell Rd [0.02 miles]	Direction	SB
Direction	SB	Notes	
Community		Count Source	
MPO_ID		File Name	Vol_Short
HPMS ID		Weather	
Agency	Oregon Traffic Monitoring System	Study	
		Owner	LEGACY
		QC Status	Accepted

Interval: 15 mins						
Time	15 Min				Hourly Count	
	1st	2nd	3rd	4th		
00:00 - 01:00	2	1	3	0	6	
01:00 - 02:00	2	2	1	0	5	
02:00 - 03:00	0	0	2	1	3	
03:00 - 04:00	4	0	3	2	9	
04:00 - 05:00	2	5	4	6	17	
05:00 - 06:00	8	10	16	12	46	
06:00 - 07:00	33	30	40	36	139	
07:00 - 08:00	32	40	72	50	194	
08:00 - 09:00	28	20	21	27	96	
09:00 - 10:00	42	20	25	28	115	
10:00 - 11:00	36	25	23	45	129	
11:00 - 12:00	35	31	38	28	132	
12:00 - 13:00	40	30	32	37	139	
13:00 - 14:00	32	29	35	44	140	
14:00 - 15:00	46	70	78	48	242	
15:00 - 16:00	82	76	88	92	338	
16:00 - 17:00	116	108	108	91	423	
17:00 - 18:00	84	74	58	52	268	
18:00 - 19:00	42	44	25	34	145	
19:00 - 20:00	31	26	21	31	109	
20:00 - 21:00	25	24	20	11	80	
21:00 - 22:00	8	7	13	8	36	
22:00 - 23:00	8	3	6	6	23	
23:00 - 24:00	2	1	0	1	4	
TOTAL					2838	



## **Exhibit G: Preliminary Stormwater Report**

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*Rourke Development Subdivision  
Newberg, Oregon*

**Preliminary Stormwater  
Report**

<b>Date:</b>	October 2021
<b>Client:</b>	Rourke Development, LLC 1201 Fulton St, #13 Newberg, OR, 97132
<b>Engineering Contact:</b>	Paul Sellke, PE, GE 503-563-6151   PaulS@aks-eng.com
<b>Engineering Firm:</b>	AKS Engineering & Forestry, LLC 12965 SW Herman Rd Tualatin, OR 97062
<b>AKS Job Number:</b>	4612

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# **Preliminary Stormwater Report**

## **ROURKE DEVELOPMENT SUBDIVISION**

### **NEWBERG, OREGON**

#### **1.0 Purpose of Report**

The purpose of this report is to analyze the effects of the proposed development regarding existing and proposed stormwater runoff and the effect on the existing stormwater conveyance systems. Analysis includes documentation of the criteria, methodology, and informational sources used to design the proposed stormwater system. The results of the preliminary hydraulic analysis are also presented.

#### **2.0 Project Location/Description**

The proposed development will be located south of Bell Road and east of College Street in Newberg, Oregon. The project site encompasses 2.18 acres (Tax Lot 2900, Yamhill County Tax Map 3S2W08) and is currently occupied by a single-family home.

The proposed project will include the creation of a 12-lot residential subdivision for single-family detached homes. The site improvements will also involve constructing a public street, curbs, sidewalks, landscaping, associated underground utilities, and a stormwater facility.

#### **3.0 Regulatory Design Criteria**

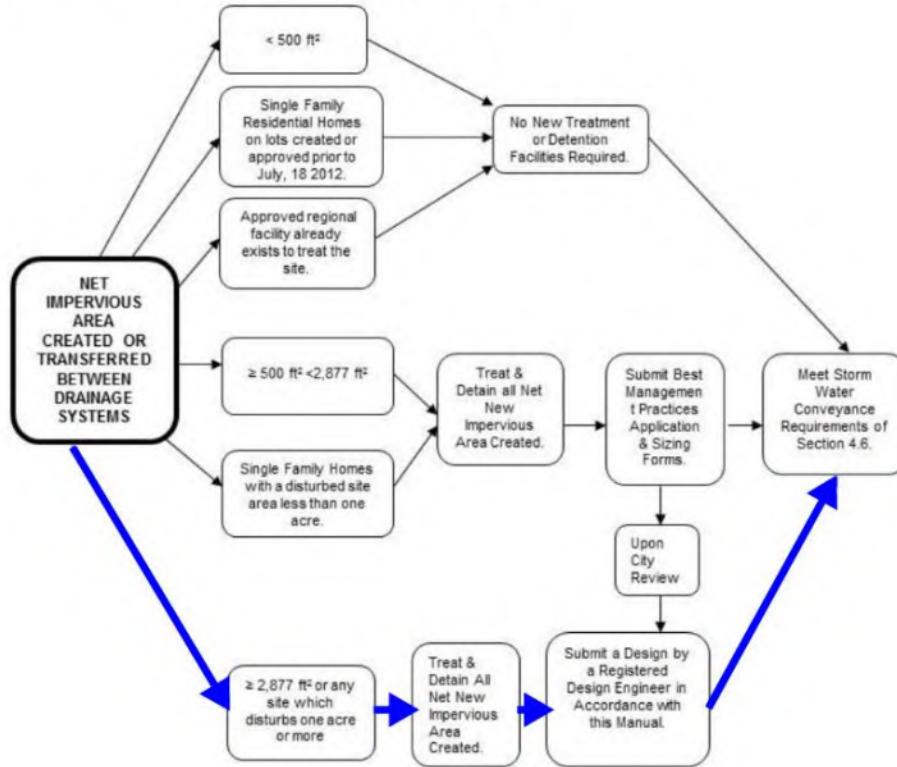
Stormwater design criteria is dictated by the City of Newberg *Public Works Design and Construction Standards* dated 2015 (PW DCS 2015) and by the Oregon Department of Transportation Highway Division *Hydraulics Design Manual* dated 2014 (ODOT HDM 2014).

Per Section 12.5.1 of ODOT HDM 2014, detention of stormwater runoff within ODOT right-of-way (ROW) is required if detention is required by the local jurisdiction.

Per Section 14.10.1 of ODOT HDM 2014, water quality treatment is required for contributing impervious area of ODOT mandated frontage improvements for private development projects.

Per Figure 4.4 of PW DCS 2015, the proposed development will create more than 2,877 square feet of impervious area and will therefore be required to provide treatment and detention for all stormwater runoff from net new impervious area.

Figure 4.4 Storm water Quality & Quantity Design Flow Chart



### 3.1 STORMWATER QUANTITY

Per Section 4.7.1.III of PW DCS 2015, it is required that the post-development runoff rates from the site do not exceed the pre-development runoff rates. The following excerpt from the City’s standards outlines the detention requirements.

*“Stormwater quantity on-site detention facilities shall be designed to capture runoff so the post-development runoff rates from the site do not exceed the pre-development runoff rates from the site, based on 24-hour storm events ranging from ½ of the 2-year return storm to the 25-year return storm. Specifically, the ½ of the 2, 2, 10, and 25-year post-development runoff rates will not exceed their respective ½ of the 2, 2, 10, and 25-year pre-development runoff rates...”*

In addition to City detention requirements, Section 12.5.1 of ODOT HDM outlines the following detention requirements:

*“The design of a storage facility should include a comparison of the peak design release rates to the peak pre-construction design runoff rates (i.e., 2-year through 50-year event, as required) at a point or points downstream of the proposed storage site with and without storage.”*

The proposed development will provide stormwater quantity management requirements for both the City and ODOT with an extended dry detention basin. The stormwater management facility will be designed to detain the post-developed runoff rates from the site, so they do not exceed the pre-developed rates. The proposed stormwater facility will be designed per the requirements of PW DCS 2015 Section 4.8 and Standard Drawing 461.

### 3.2 STORMWATER QUALITY

Per Section 4.8.5 of PW DCS 2015, it is required that stormwater quality facilities be designed based on the following excerpt from the City’s water quality standards:

*“The storm defines both volume and rate of runoff. The stormwater quality only facilities shall be designed for a dry weather storm event totaling 1.0 inches of precipitation falling in 24 hours with an average storm return period of 96 hours using Figure 4-3, rainfall distribution.”*

Per Section 14.10.2 of ODOT HDM 2014, it is required that stormwater quality facilities be designed based on the following excerpt from ODOT’s hydraulics manual:

*“The water quality design storm is designated as a percentage of the 2-year 24-hour storm and is used to determine the water quality design flow rate or water quality design volume.”*

Stormwater quality management for this project will be met utilizing an extended dry basin located in Tract A.

## 4.0 Design Methodology

The Santa Barbara Urban Hydrograph (SBUH) Method was used to analyze peak stormwater runoff from the site. This method utilizes the SCS Type 1A 24-hour design storm. HydroCAD 10.0 computer software was used to model the hydrology and stormwater facility hydraulics. Runoff Curve Numbers (CN), which are representative of existing and developed cover conditions and time of concentration (Tc) values were developed in accordance with the U.S. Department of Agriculture (USDA) – Natural Resource Conservation Service’s (NRCS) Technical Release 55 and are included in Appendix E.

## 5.0 Design Parameters

### 5.1 DESIGN STORMS

Per City of Newberg and ODOT requirements, the following 24-hour rainfall intensities were utilized in the analysis of the planned stormwater facility:

Recurrence Interval (Years)	Total Precipitation Depth (Inches)
ODOT Water Quality	1.25
City Water Quality	1.00
½ of 2	1.25
2	2.50
10	3.50
25	4.00
50	4.20

The analysis provided in this report uses the City’s water quality precipitation depth for design of the stormwater quality treatment facility. The ODOT Water Quality precipitation depth has been used for calculation of required stormwater quality treatment volumes for contributing ODOT impervious areas. Refer to Section 6.2 and Appendix C of this report for further information.

**5.2 PRE-DEVELOPED SITE CONDITIONS**

**5.2.1 Site Topography**

Existing on-site grades generally vary from ±1% to ±28%, with a high point of ±345 feet in the southeast corner of the site. The low point of the property is ±299 feet near the southwest property corner. The site generally slopes from east to west.

**5.2.2 Proposed Development/Land Use**

The existing site consists of a single-family residential home and associated out buildings, driveways, and landscaping areas, surrounded by woodland/pasture.

**5.3 SOIL TYPE**

Per Section 4.5.4 of PW DCS 2015:

*“II. Curve numbers shall be derived from the National Resources Conservation Service’s (NRCS) runoff curve numbers contained in Technical Release 55 (TR-55)-Urban Hydrology for Small Watersheds.*

*III. Soil types shall be derived from the NRCS Soil Survey for Yamhill County.”*

The table below outlines the Hydrologic Soil Group rating for each soil type per the USDA Soil Survey for Yamhill County:

<b>Table 5-2: Hydrologic Soil Group Ratings</b>		
<b>NRCS Map Unit Identification</b>	<b>NRCS Soil Classification</b>	<b>Hydrologic Soil Group Rating</b>
2211B	Cove Silty Clay Loam	D
2304C	Carlton Silt Loam	C/D
2304D	Carlton Silt Loam	C/D
2706C	Hazelair Silty Clay Loam	D
2784C	Witzel-Ritner Complex	D
2784D	Witzel-Ritner Complex	D
2785C	Saum-Parrett Complex	C
2798D	Witham Silty Clay Loam	D

For soil types with combined C/D rating, a conservative D rating was assumed for design. Further information regarding these soil types is included in the USDA-NRCS Soil Resource Report located in Appendix D of this report.

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## 5.4 POST-DEVELOPED SITE CONDITIONS

### 5.4.1 Site Topography

The on-site slopes will be modified with cuts and fills to accommodate the construction of public streets, and the stormwater facility. Additionally, sloped residential building pads will be constructed adjacent to the public right-of-way.

### 5.4.2 Proposed Development/Land Use

The post-developed site will consist of a 12-lot, single-family residential subdivision, with associated streets, sidewalks, and underground utilities.

### 5.4.3 Post-Developed Input Parameters

Appendices A, B, and C provide the HydroCAD reports that were generated for the analyzed storm events. These reports include all the parameters (e.g. impervious/pervious areas, time of concentration, etc.) used to model the site hydrology.

### 5.4.4 Description of Off-Site Contributing Basins

The off-site drainage basins include a portion of private property east of the site. A portion of the off-site basin to the west of College Street is captured and treated within the proposed stormwater facility for water quality purposes. Other off-site basins are included in the analyses for the purpose of comparing pre-developed and post-developed flows.

## 6.0 Stormwater Analyses

### 6.1 PROPOSED STORMWATER CONDUIT SIZING AND INLET SPACING

The proposed onsite curb inlets have been located per City of Newberg requirements to properly convey stormwater runoff. The proposed storm system pipes will be sized using Manning's equation to convey the peak flows from the 25-year storm event and will be addressed within the final stormwater report.

### 6.2 PROPOSED STORMWATER QUALITY TREATMENT FACILITIES

Based on Section 4.6.8 of PW DCS 2015 Facility Selection Hierarchy (Table 6-1 below), an extended dry basin has been selected as the method of stormwater quality control. The extended dry basin is a regional LIDA facility and therefore meets the highest technically feasible option.

Detention Facilities	Water Quality Facilities
LIDA Facilities/Regional Facility	LIDA Facilities/Regional Facility
Surface Pond	Swale
Underground Tank/Pipes	Proprietary Treatment Systems
Fee in lieu of construction payment	Fee in lieu of construction payment

Extended dry detention basins are an approved ODOT treatment facility per Section 14.8.4.1 of ODOT HDM 2014.

The extended dry basin has been designed per PW DCS 2015 Standard Drawing 461 to provide water quality treatment for the proposed site and the conveyance system has been designed to intercept/collect stormwater runoff from a portion of College Street (Hwy 219). To treat the runoff from impervious surfaces, the Water Quality Flows will be routed through the extended dry basin located within Tract A (southwest corner of the project).



---

Below is a summary of the water quality flow calculations. See Appendix C for further information.

$$\text{WQV (Subdivision)} = \text{Dry Weather 1.0" Storm over 24 Hours} = 4,295 \text{ CF}$$

$$\text{WQV (ODOT)} = \text{Dry Weather 1.25" Storm over 24 Hours} = 684 \text{ CF}$$

$$\text{WQF} = \text{WQV} / (48 * 60 * 60) = 0.03 \text{ CFS}$$

The planned College Street widening and sidewalk improvements will be situated at grades and elevations that will not allow stormwater runoff to be directed and conveyed towards the planned stormwater facility. The widened and shed section of College Street (Hwy 219) will discharge untreated runoff into the existing roadside ditch along the west side of the road. An equivalent area of untreated impervious surface for a portion of College Street that is upstream of the project site is planned to be routed to the stormwater facility for water quality treatment. The equivalent area planned to be treated will offset the area of College Street improvements that cannot be treated. A flow control structure will be incorporated to intercept and convey the ODOT required Water Quality Volume to the stormwater facility. The extended dry detention basin has been designed to provide water quality treatment for the subdivision as well as this equivalent, offset area.

### 6.3 PROPOSED STORMWATER QUANTITY CONTROL FACILITIES

In accordance with the Section 4.7.1.III of PW DCS 2015 and Section 12.5.1 of ODOT HDM 2014, peak stormwater quantity control has been provided within the stormwater facility for the planned development. The extended dry basin is designed with a flow control structure which will detain the storm flow rates to the pre-developed rates. The following table outlines the comparison of the pre-developed flows with respect to the detained, post-developed flows.

Recurrence Interval (Years)	Peak Pre-Development Flows (cfs)	Peak Post-Development Flows (cfs)	Peak Flow Increase or (Decrease) (cfs)
1/2 of 2	2.11	2.01	(0.10)
2	6.91	6.72	(0.19)
10	11.38	10.97	(0.41)
25	13.72	13.58	(0.14)
50	14.66	14.62	(0.04)

The extended dry basin has been designed per City of Newberg requirements with at least 1-foot of freeboard, during the 25-year storm event, and a permanent pool storage depth of 0.4 feet.

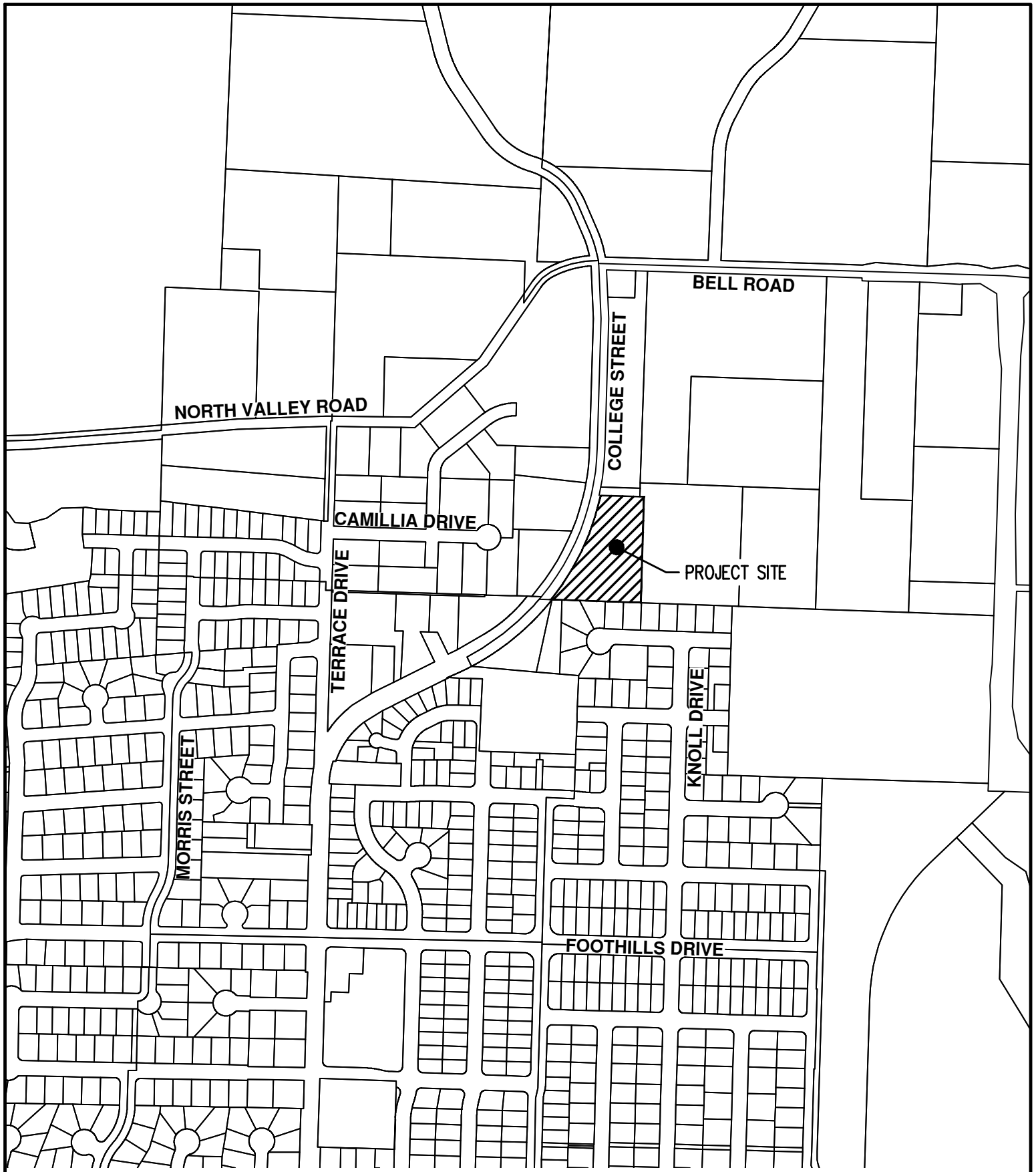
The proposed extended dry basin has sufficient capacity to detain the required post-developed site flows to the pre-developed site flows, and meets the requirements established by the City and ODOT.

### 6.4 DOWNSTREAM ANALYSIS

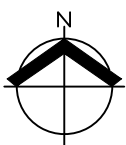
The onsite stormwater facility will limit site post-developed discharges to the pre-developed flows by providing detention within the extended dry basin. The *City of Newberg Stormwater Master Plan* dated June 2021 notes that the hydraulic model identifies a localized flooding issue approximately 0.17 miles downstream from the outfall of the planned development. This is shown in Figure 3.1 of the master

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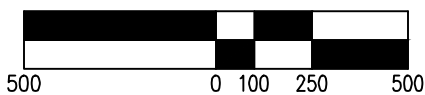
plan. According to the master plan, a Capital Improvement Program (CIP) is in place to replace undersized pipes that are noted as the cause for flooding. The CIP for this localized area is identified as “C-C: Oxford St. Improvements – Section 1” in *Appendix D* of the Master Plan. This is a “Priority 1” project that is planned to be completed within 5 years. Since the design of the stormwater facility within the planned development will result in post-developed discharges that are less than pre-developed discharges, current flooding issues will not be worsened by the planned development.



DATE: 10/15/2021



SCALE: 1" = 500 FEET



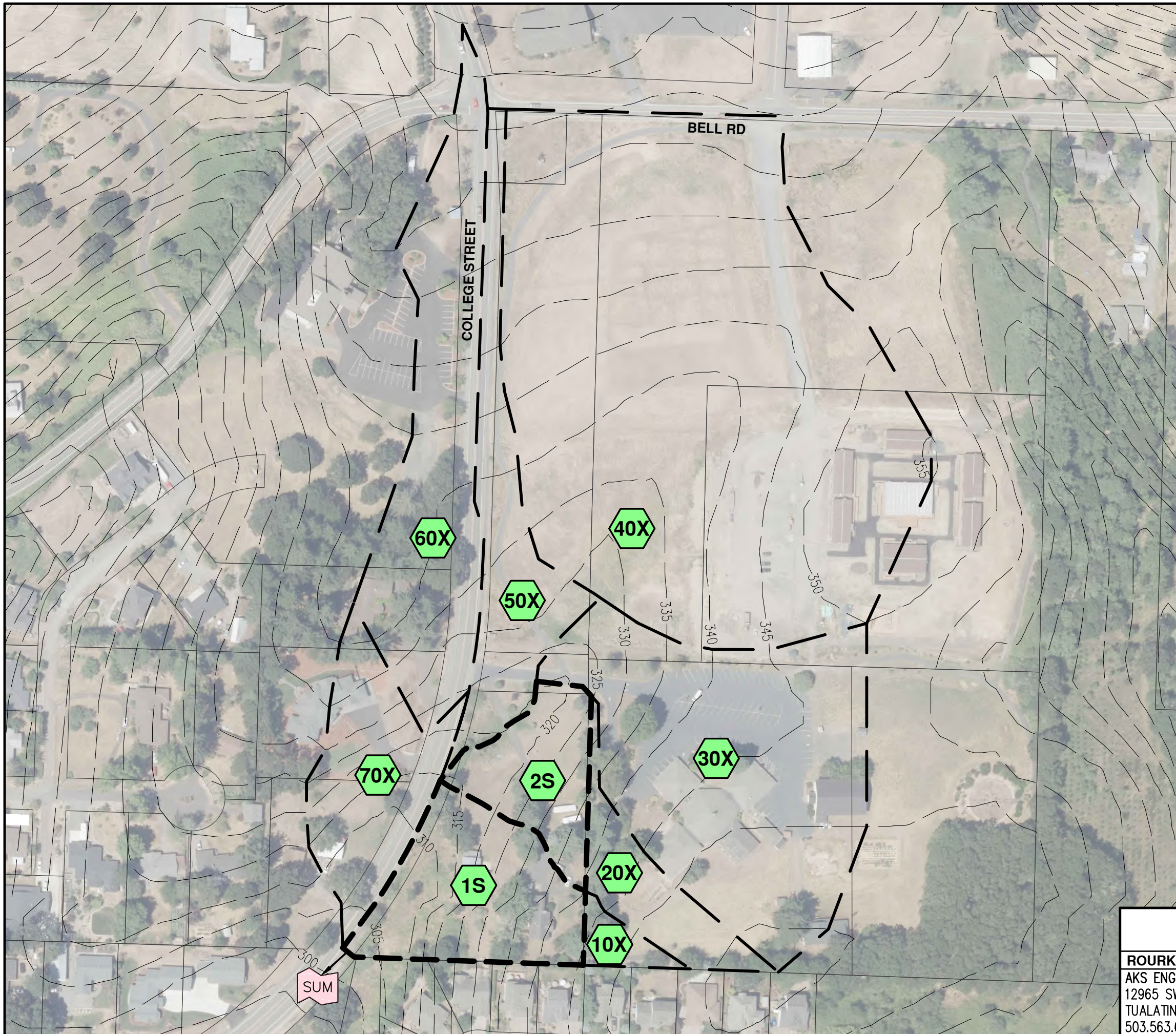
**VICINITY MAP  
ROURKE DEVELOPMENT SUBDIVISION**

AKS ENGINEERING & FORESTRY, LLC  
 12965 SW HERMAN RD, STE 100  
 TUALATIN, OR 97062  
 503.563.6151 WWW.AKS-ENG.COM






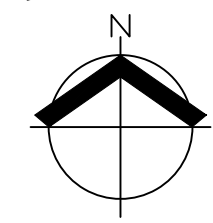
**FIGURE  
1**

DRWN: CRH  
 CHKD: PAS  
 AKS JOB:  
 4612

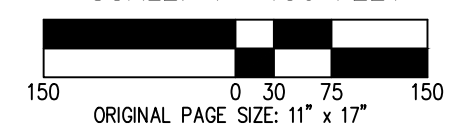


**LEGEND**

-  ONSITE SUBCATCHMENT
-  OFFSITE SUBCATCHMENT
-  LINK



SCALE: 1" = 150 FEET








DATE: 10/15/2021

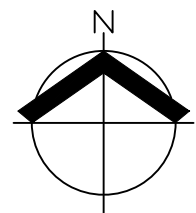
<b>PRE-DEVELOPED BASIN DELINEATION</b>	FIGURE
<b>ROURKE DEVELOPMENT SUBDIVISION</b>	<b>2</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	DRWN: CRH CHKD: PAS AKS JOB: 4612



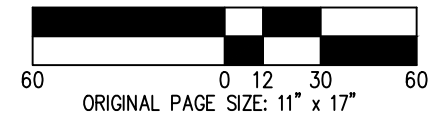


**LEGEND**

-  ONSITE SUBCATCHMENT
-  OFFSITE SUBCATCHMENT
-  CULVERT/STORM MAIN
-  REACH
-  STORMWATER FACILITY



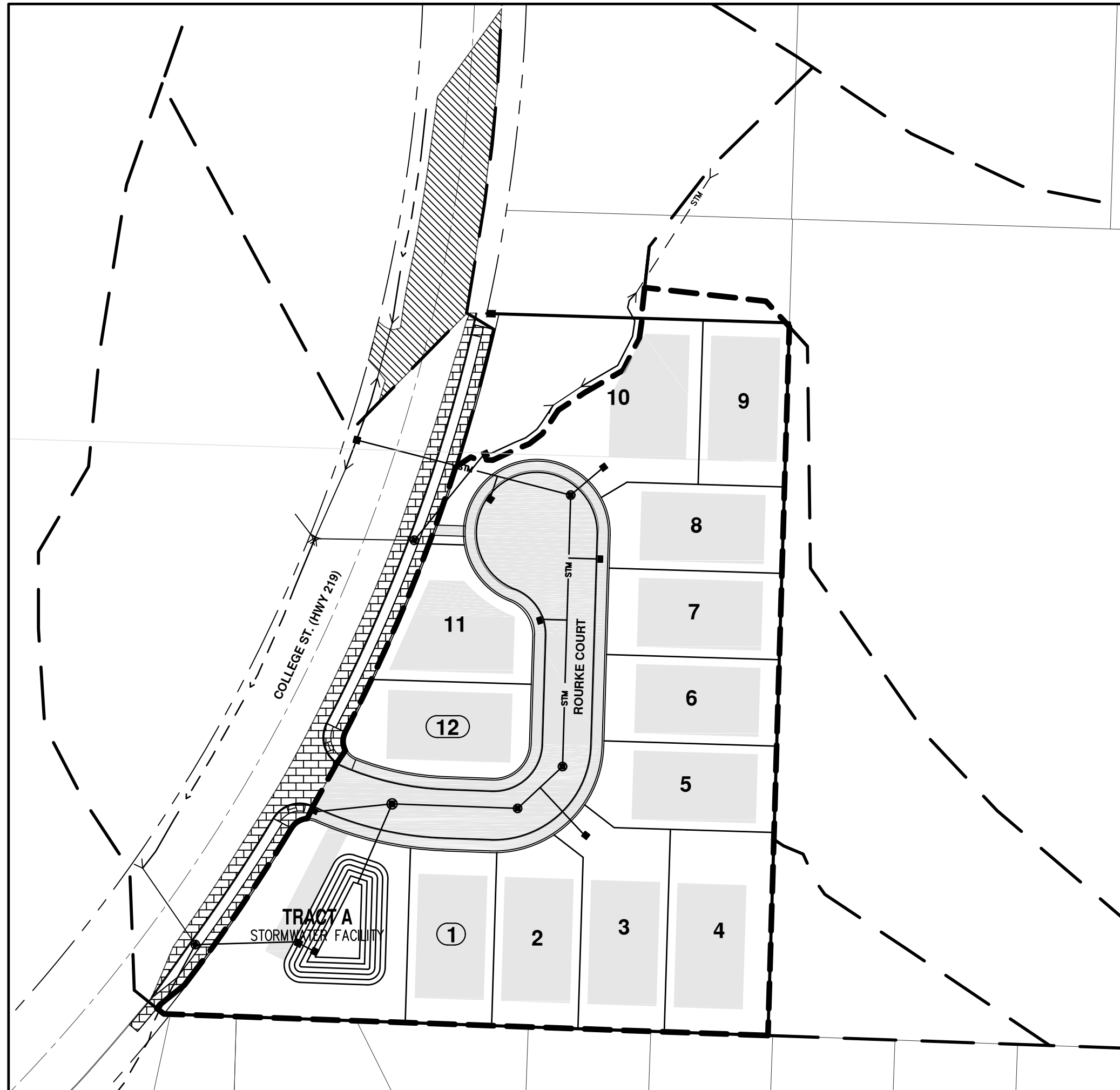
SCALE: 1" = 60 FEET



DATE: 10/15/2021

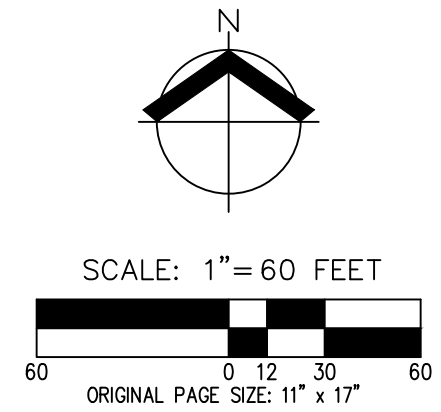
<b>POST-DEVELOPED BASIN DELINEATION</b>	FIGURE
<b>ROURKE DEVELOPMENT SUBDIVISION</b>	<b>3</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	DRWN: CRH CHKD: PAS AKS JOB: 4612





- INDICATES PROPOSED IMPERVIOUS AREA RECEIVING TREATMENT  
\*MAXIMUM IMPERVIOUS AREA OF 2,877 SQ. FT. PER LOT IS ASSUMED
- INDICATES PROPOSED IMPERVIOUS AREA UNABLE TO BE TREATED
- INDICATES EXISTING UNTREATED IMPERVIOUS AREA TO BE TREATED WITHIN THE PROPOSED FACILITY

POST-DEVELOPED IMPERVIOUS AREA TABLE	
PROPOSED IMPERVIOUS AREA RECEIVING TREATMENT	51,536 SF
PROPOSED UNTREATABLE IMPERVIOUS AREA	6,567 SF
EXISTING UNTREATED IMPERVIOUS AREA RECEIVING TREATMENT WITHIN PROPOSED FACILITIES	6,567 SF
REQUIRED IMPERVIOUS AREA TO TREAT	58,103 SF
IMPERVIOUS AREA TREATMENT PROVIDED	58,103 SF
NET TOTAL	+0 SF



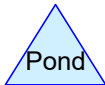
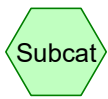
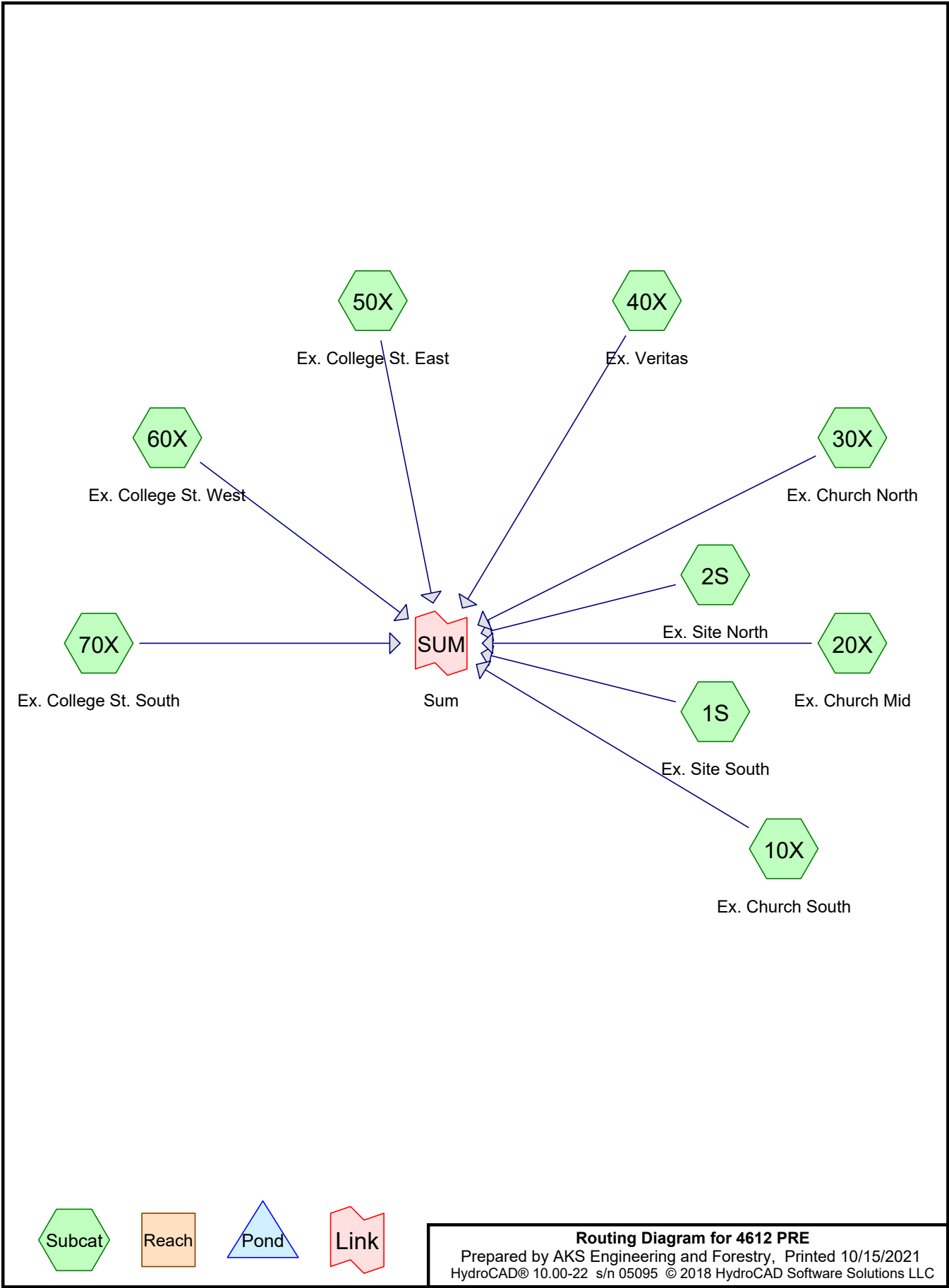
DATE: 10/15/2021

<b>WATER QUALITY TREATMENT MAP</b>	FIGURE
<b>ROURKE DEVELOPMENT SUBDIVISION</b>	<b>4</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 503.563.6151 WWW.AKS-ENG.COM	DRWN: CRH CHKD: PAS AKS JOB: 4612



**Appendix A: HydroCAD Reports for  
Pre-Developed Condition Storm Events  
25-Year Storm Event Analysis  
50-Year Storm Event Analysis Summary Only  
10-Year Storm Event Analysis Summary Only  
2-Year Storm Event Analysis Summary Only  
1/2-Year Storm Event Analysis Summary Only**

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**Routing Diagram for 4612 PRE**  
 Prepared by AKS Engineering and Forestry, Printed 10/15/2021  
 HydroCAD® 10.00-22 s/n 05095 © 2018 HydroCAD Software Solutions LLC



Time span=0.00-48.00 hrs, dt=0.01 hrs, 4801 points x 3

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment1S: Ex. Site South** Runoff Area=64,349 sf 11.44% Impervious Runoff Depth=2.46"  
Flow Length=605' Tc=10.6 min CN=83/98 Runoff=0.84 cfs 13,166 cf

**Subcatchment2S: Ex. Site North** Runoff Area=37,801 sf 5.07% Impervious Runoff Depth=2.36"  
Flow Length=620' Tc=10.8 min CN=83/98 Runoff=0.47 cfs 7,438 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=2.66"  
Flow Length=755' Tc=15.0 min CN=83/98 Runoff=0.11 cfs 1,909 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=2.49"  
Flow Length=870' Tc=13.3 min CN=83/98 Runoff=0.40 cfs 6,492 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=3.07"  
Flow Length=1,580' Tc=16.5 min CN=83/98 Runoff=2.61 cfs 44,026 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=2.78"  
Flow Length=1,328' Tc=16.7 min CN=84/98 Runoff=5.67 cfs 96,411 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=63,049 sf 29.86% Impervious Runoff Depth=2.79"  
Flow Length=1,475' Tc=9.0 min CN=84/98 Runoff=0.96 cfs 14,645 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=3.01"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=1.79 cfs 28,300 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=60,117 sf 44.96% Impervious Runoff Depth=2.91"  
Flow Length=527' Slope=0.0500 '/' Tc=15.1 min CN=82/98 Runoff=0.87 cfs 14,555 cf

**Link SUM: Sum**

Inflow=13.72 cfs 226,942 cf  
Primary=13.72 cfs 226,942 cf

**Total Runoff Area = 966,961 sf Runoff Volume = 226,942 cf Average Runoff Depth = 2.82"**  
**65.66% Pervious = 634,888 sf 34.34% Impervious = 332,073 sf**

**Summary for Subcatchment 1S: Ex. Site South**

Runoff = 0.84 cfs @ 8.00 hrs, Volume= 13,166 cf, Depth= 2.46"

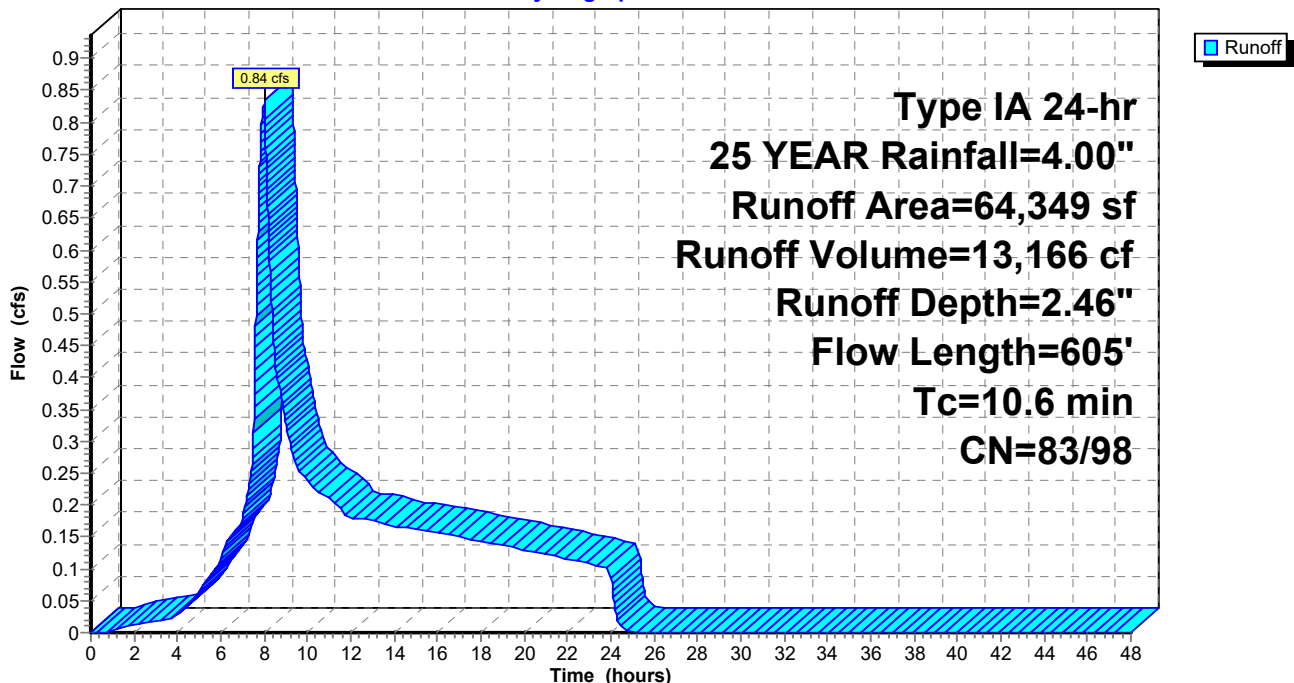
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
7,360	98	Paved parking, HSG C
* 56,989	83	fair pasture 80%, fair woods 20%
64,349	85	Weighted Average
56,989		88.56% Pervious Area
7,360		11.44% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.4	100	0.0400	0.20		<b>Sheet Flow, AB</b> Grass: Short n= 0.150 P2= 2.50"
0.3	100	0.0600	4.97		<b>Shallow Concentrated Flow, BC</b> Paved Kv= 20.3 fps
1.5	150	0.0600	1.71		<b>Shallow Concentrated Flow, CD</b> Short Grass Pasture Kv= 7.0 fps
0.4	255	0.0400	10.69	96.24	<b>Channel Flow, DE</b> Area= 9.0 sf Perim= 9.4' r= 0.96' n= 0.027
10.6	605	Total			

**Subcatchment 1S: Ex. Site South**

Hydrograph



**Summary for Subcatchment 2S: Ex. Site North**

Runoff = 0.47 cfs @ 8.00 hrs, Volume= 7,438 cf, Depth= 2.36"

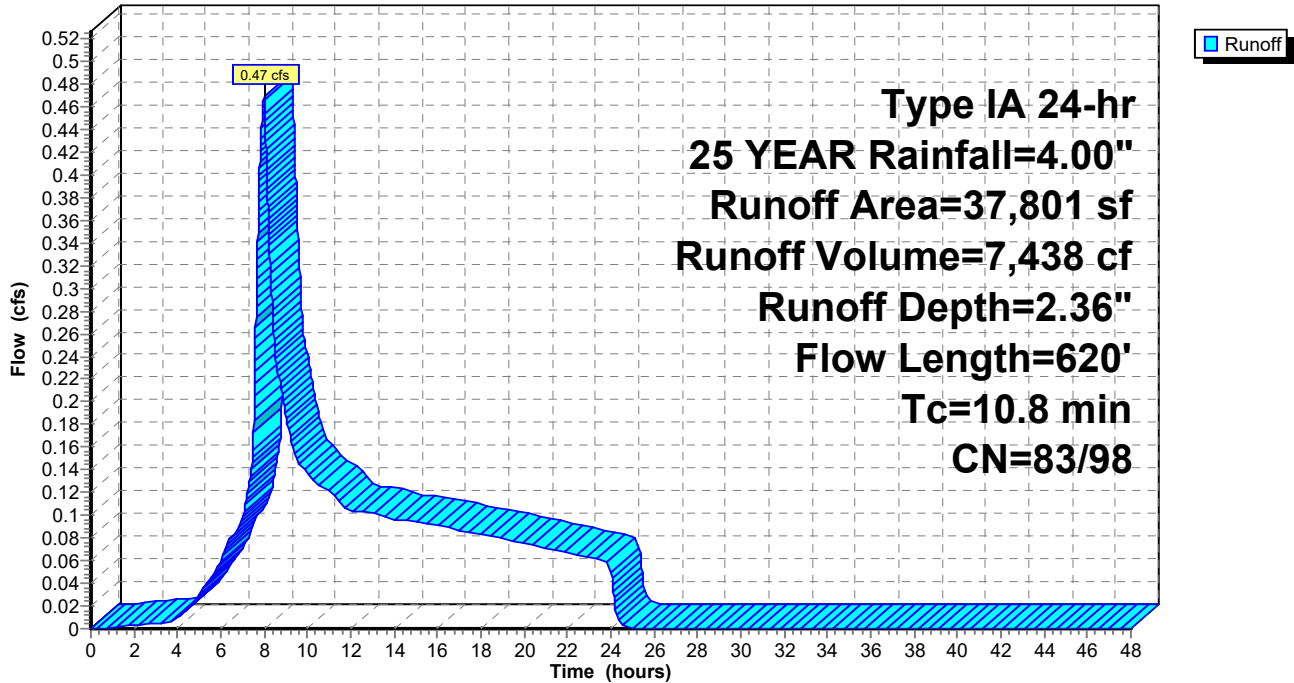
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
1,915	98	Paved parking, HSG C
* 35,886	83	fair pasture 80%, fair woods 20%
37,801	84	Weighted Average
35,886		94.93% Pervious Area
1,915		5.07% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.4	100	0.0400	0.20		<b>Sheet Flow, AB</b>
					Grass: Short n= 0.150 P2= 2.50"
1.9	200	0.0600	1.71		<b>Shallow Concentrated Flow, BC</b>
					Short Grass Pasture Kv= 7.0 fps
0.5	320	0.0400	10.69	96.24	<b>Channel Flow, CD</b>
					Area= 9.0 sf Perim= 9.4' r= 0.96' n= 0.027
10.8	620	Total			

**Subcatchment 2S: Ex. Site North**

Hydrograph



**Summary for Subcatchment 10X: Ex. Church South**

Runoff = 0.11 cfs @ 8.00 hrs, Volume= 1,909 cf, Depth= 2.66"

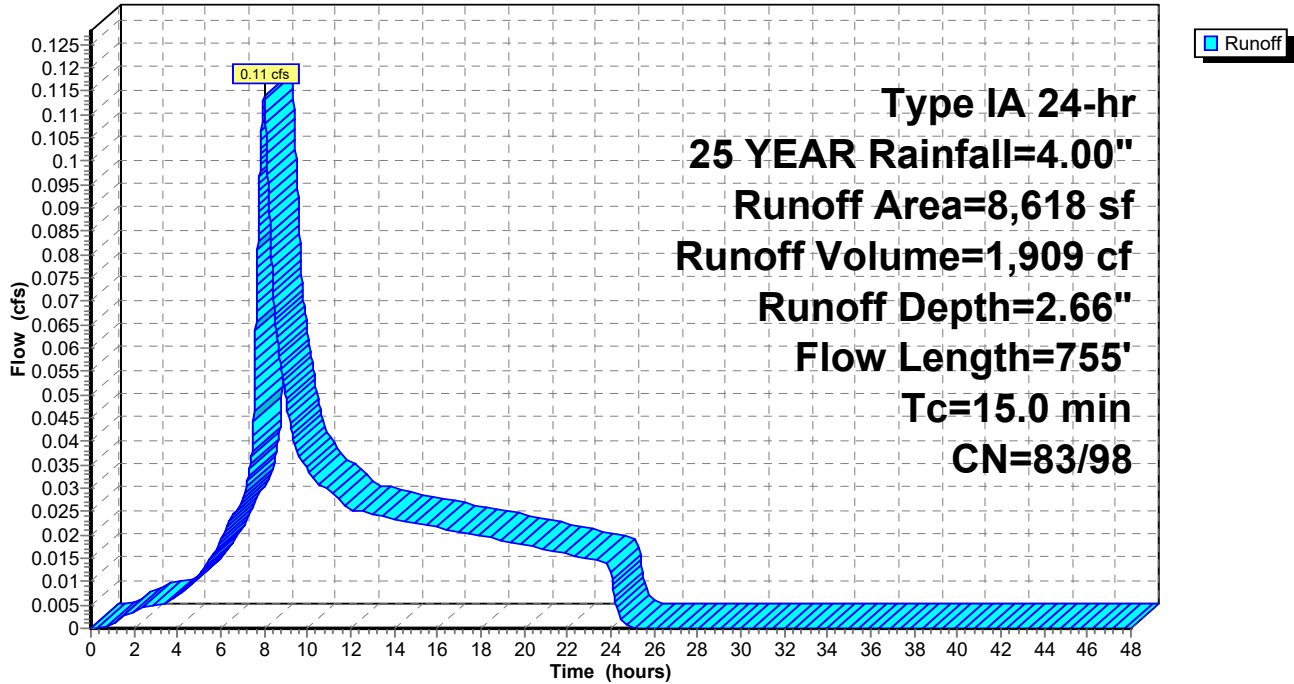
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
2,164	98	Paved parking, HSG C
* 6,454	83	fair pasture 80%, fair woods 20%
8,618	87	Weighted Average
6,454		74.89% Pervious Area
2,164		25.11% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
11.6	150	0.0400	0.22		<b>Sheet Flow,</b> Grass: Short n= 0.150 P2= 2.50"
1.2	100	0.0400	1.40		<b>Shallow Concentrated Flow,</b> Short Grass Pasture Kv= 7.0 fps
0.3	100	0.0600	4.97		<b>Shallow Concentrated Flow, BC</b> Paved Kv= 20.3 fps
1.5	150	0.0600	1.71		<b>Shallow Concentrated Flow, CD</b> Short Grass Pasture Kv= 7.0 fps
0.4	255	0.0400	10.69	96.24	<b>Channel Flow, DE</b> Area= 9.0 sf Perim= 9.4' r= 0.96' n= 0.027
15.0	755	Total			

### Subcatchment 10X: Ex. Church South

Hydrograph



**Summary for Subcatchment 20X: Ex. Church Mid**

Runoff = 0.40 cfs @ 8.00 hrs, Volume= 6,492 cf, Depth= 2.49"

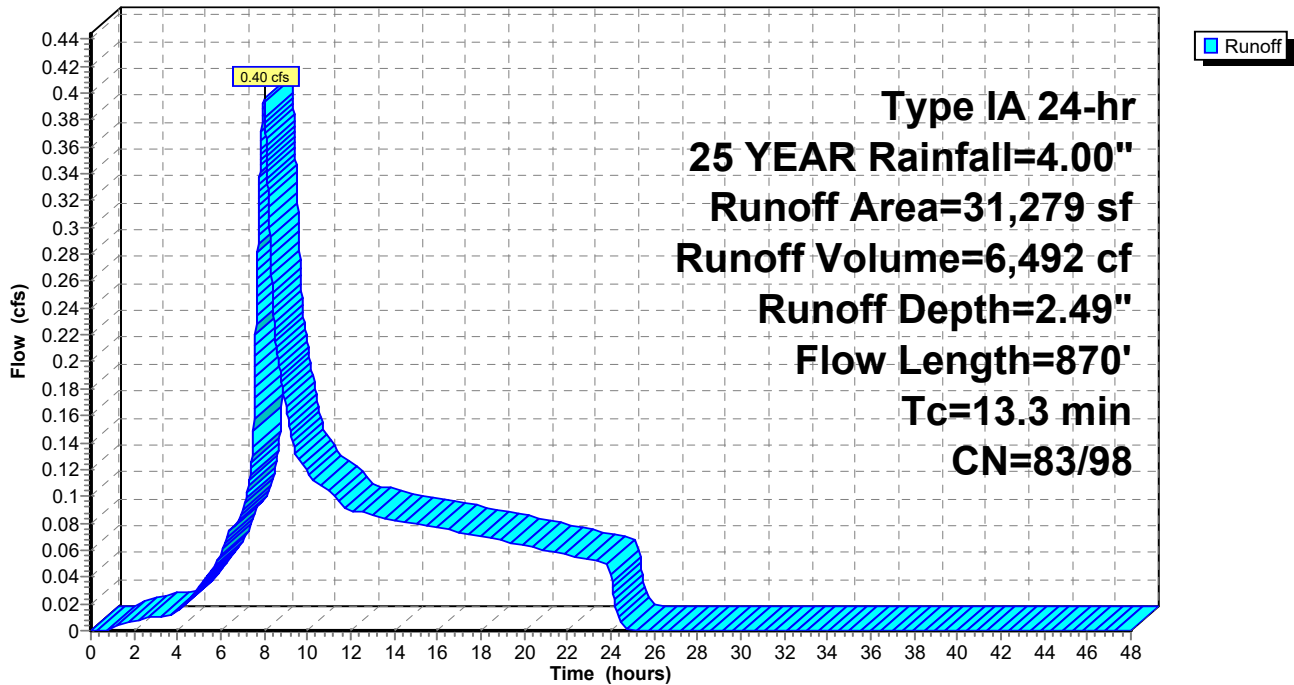
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
4,326	98	Paved parking, HSG C
* 26,953	83	fair pasture 80%, fair woods 20%
31,279	85	Weighted Average
26,953		86.17% Pervious Area
4,326		13.83% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.4	100	0.0400	0.20		<b>Sheet Flow, AB</b>
					Grass: Short n= 0.150 P2= 2.50"
4.4	450	0.0600	1.71		<b>Shallow Concentrated Flow, BC</b>
					Short Grass Pasture Kv= 7.0 fps
0.5	320	0.0400	10.69	96.24	<b>Channel Flow, CD</b>
					Area= 9.0 sf Perim= 9.4' r= 0.96' n= 0.027
13.3	870	Total			

**Subcatchment 20X: Ex. Church Mid**

Hydrograph



**Summary for Subcatchment 30X: Ex. Church North**

Runoff = 2.61 cfs @ 8.00 hrs, Volume= 44,026 cf, Depth= 3.07"

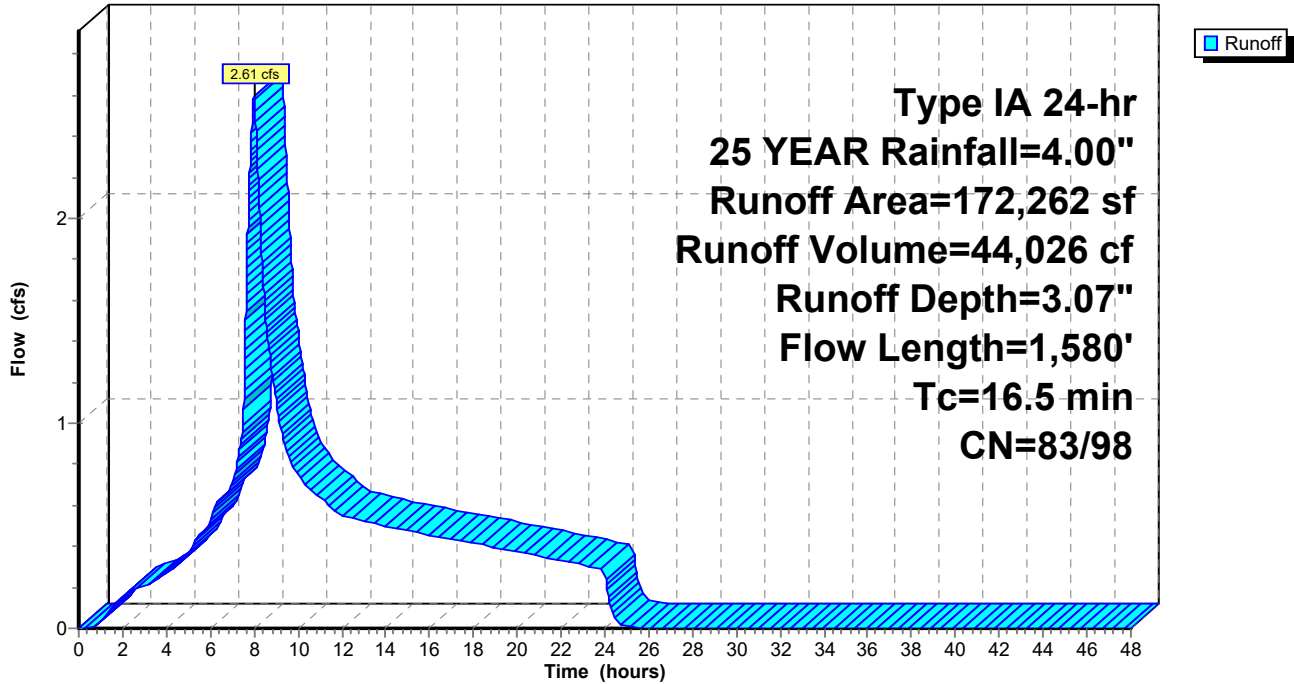
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
90,940	98	Paved parking, HSG D
* 81,322	83	fair pasture 85%, fair woods 15%
172,262	91	Weighted Average
81,322		47.21% Pervious Area
90,940		52.79% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.9	100	0.0350	0.19		<b>Sheet Flow, AB</b> Grass: Short n= 0.150 P2= 2.50"
1.9	200	0.0350	1.75		<b>Sheet Flow, BC</b> Smooth surfaces n= 0.011 P2= 2.50"
0.8	165	0.0300	3.52		<b>Shallow Concentrated Flow, CD</b> Paved Kv= 20.3 fps
1.8	195	0.0680	1.83		<b>Shallow Concentrated Flow, DE</b> Short Grass Pasture Kv= 7.0 fps
2.5	345	0.0440	2.33	0.70	<b>Channel Flow, EF</b> Area= 0.3 sf Perim= 1.4' r= 0.21' n= 0.048
0.3	275	0.0500	14.93	268.76	<b>Channel Flow, FG</b> Area= 18.0 sf Perim= 11.5' r= 1.57' n= 0.030
0.3	300	0.0500	17.16	463.29	<b>Channel Flow,</b> Area= 27.0 sf Perim= 16.4' r= 1.65' n= 0.027
16.5	1,580	Total			

### Subcatchment 30X: Ex. Church North

Hydrograph





**Summary for Subcatchment 40X: Ex. Veritas**

Runoff = 5.67 cfs @ 8.00 hrs, Volume= 96,411 cf, Depth= 2.78"

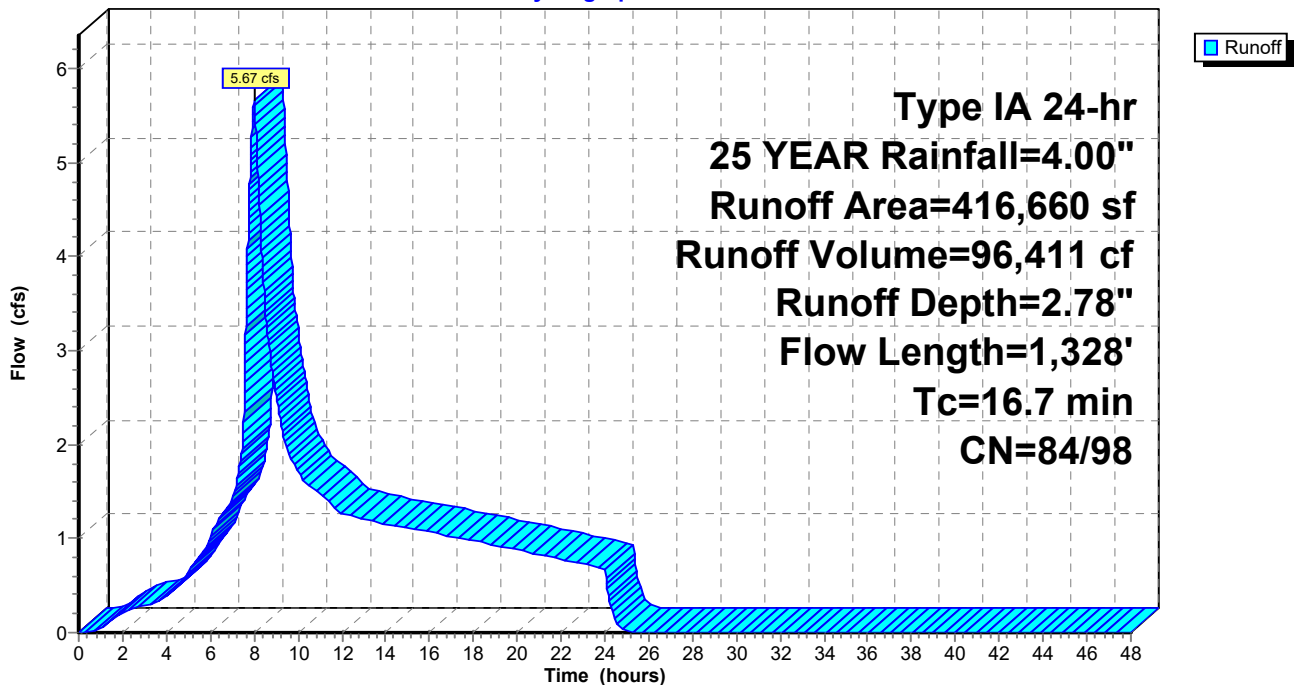
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
121,230	98	Paved parking, HSG D
295,430	84	Pasture/grassland/range, Fair, HSG D
416,660	88	Weighted Average
295,430		70.90% Pervious Area
121,230		29.10% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.4	153	0.0700	0.27		<b>Sheet Flow, AB</b>
					Grass: Short n= 0.150 P2= 2.50"
6.7	600	0.0460	1.50		<b>Shallow Concentrated Flow, BC</b>
					Short Grass Pasture Kv= 7.0 fps
0.3	275	0.0500	14.93	268.76	<b>Channel Flow,</b>
					Area= 18.0 sf Perim= 11.5' r= 1.57' n= 0.030
0.3	300	0.0500	17.16	463.29	<b>Channel Flow,</b>
					Area= 27.0 sf Perim= 16.4' r= 1.65' n= 0.027
16.7	1,328	Total			

**Subcatchment 40X: Ex. Veritas**

Hydrograph



**Summary for Subcatchment 50X: Ex. College St. East**

Runoff = 0.96 cfs @ 7.98 hrs, Volume= 14,645 cf, Depth= 2.79"

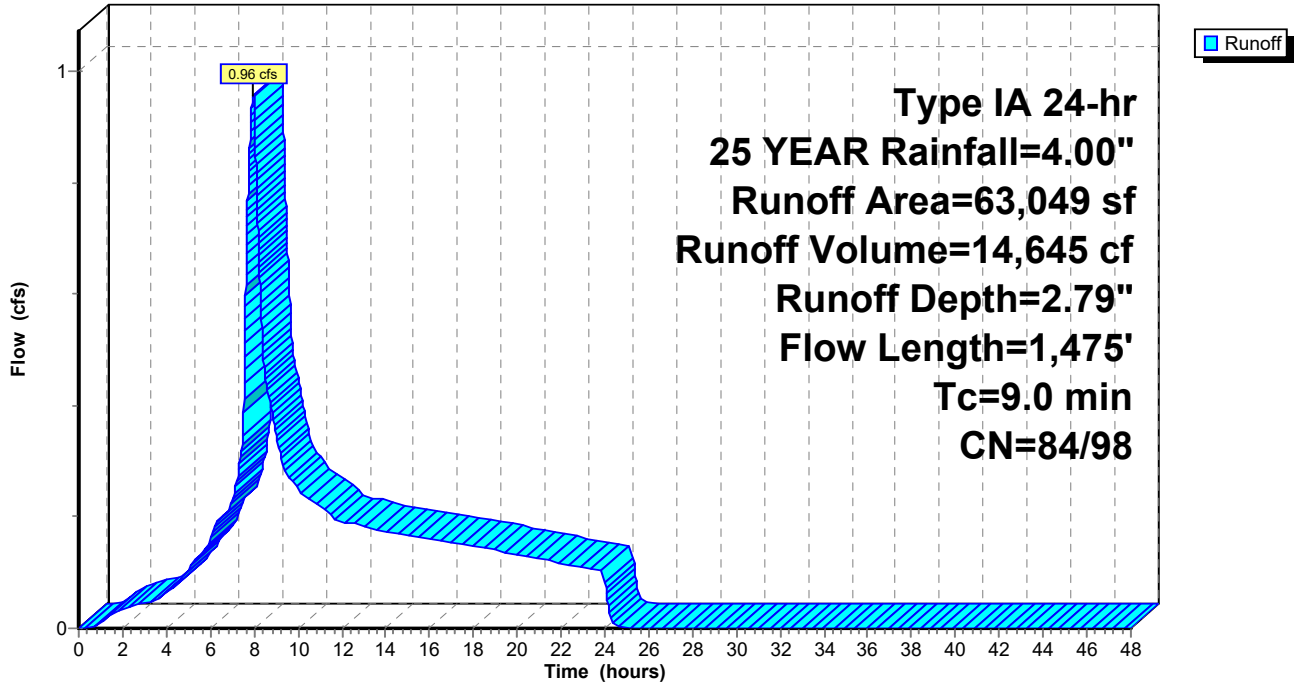
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
18,825	98	Paved parking, HSG D
44,224	84	Pasture/grassland/range, Fair, HSG D
63,049	88	Weighted Average
44,224		70.14% Pervious Area
18,825		29.86% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.4	40	0.0700	1.67		<b>Sheet Flow, AB</b> Smooth surfaces n= 0.011 P2= 2.50"
6.7	600	0.0460	1.50		<b>Shallow Concentrated Flow, BC</b> Short Grass Pasture Kv= 7.0 fps
1.3	260	0.0500	3.35		<b>Shallow Concentrated Flow,</b> Grassed Waterway Kv= 15.0 fps
0.3	275	0.0500	14.93	268.76	<b>Channel Flow,</b> Area= 18.0 sf Perim= 11.5' r= 1.57' n= 0.030
0.3	300	0.0500	17.16	463.29	<b>Channel Flow,</b> Area= 27.0 sf Perim= 16.4' r= 1.65' n= 0.027
9.0	1,475	Total			

### Subcatchment 50X: Ex. College St. East

Hydrograph



**Summary for Subcatchment 60X: Ex. College St. West**

Runoff = 1.79 cfs @ 8.00 hrs, Volume= 28,300 cf, Depth= 3.01"

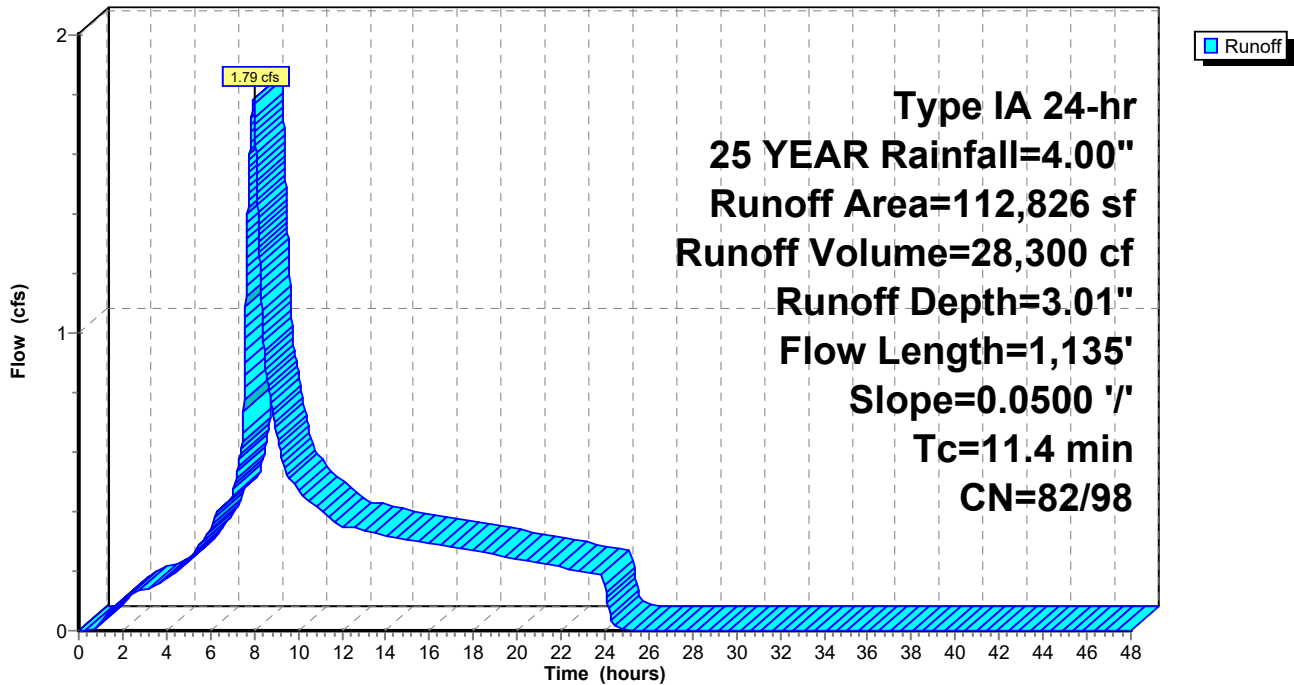
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
58,283	98	Paved parking, HSG D
* 54,543	82	fair pasture 50%, fair woods 50%
112,826	90	Weighted Average
54,543		48.34% Pervious Area
58,283		51.66% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.3	145	0.0500	0.23		<b>Sheet Flow, AB</b> Grass: Short n= 0.150 P2= 2.50"
0.8	690	0.0500	14.12	211.86	<b>Channel Flow, BC</b> Area= 15.0 sf Perim= 12.2' r= 1.23' n= 0.027
0.3	300	0.0500	17.16	463.29	<b>Channel Flow,</b> Area= 27.0 sf Perim= 16.4' r= 1.65' n= 0.027
11.4	1,135	Total			

**Subcatchment 60X: Ex. College St. West**

Hydrograph



**Summary for Subcatchment 70X: Ex. College St. South**

Runoff = 0.87 cfs @ 8.00 hrs, Volume= 14,555 cf, Depth= 2.91"

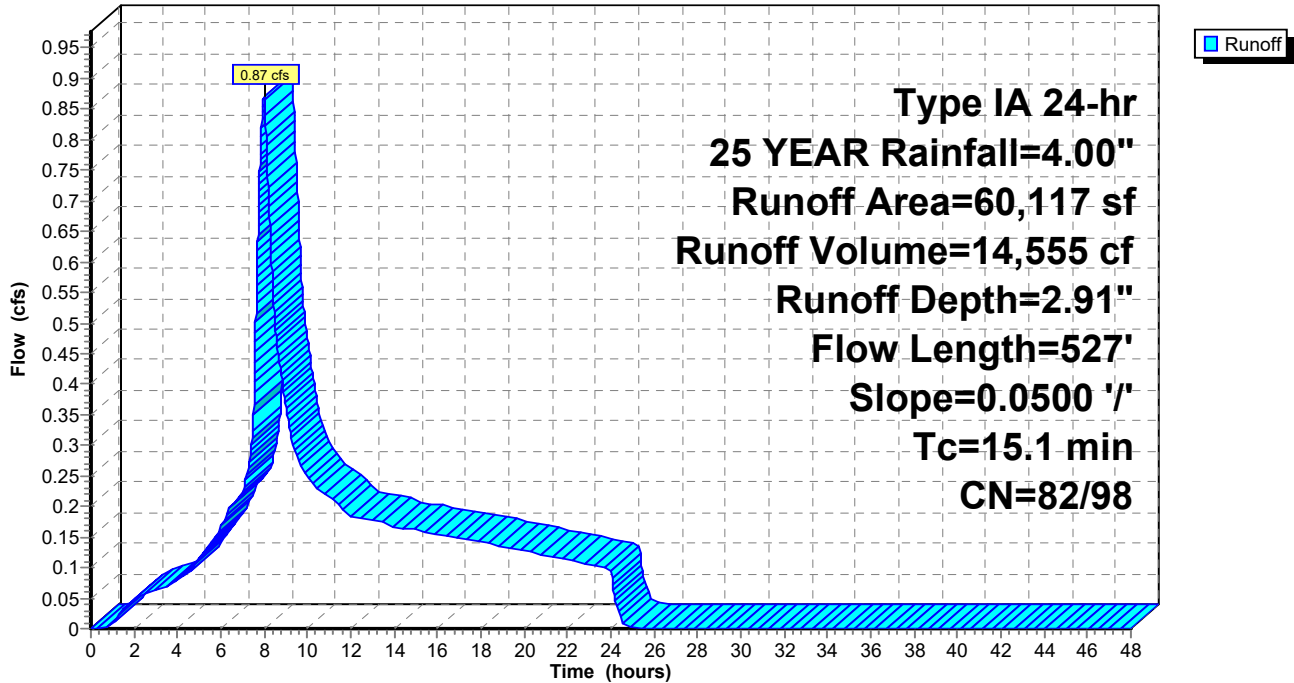
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-48.00 hrs, dt= 0.01 hrs  
Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
27,030	98	Paved parking, HSG D
* 33,087	82	fair pasture 50%, fair woods 50%
60,117	89	Weighted Average
33,087		55.04% Pervious Area
27,030		44.96% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.8	227	0.0500	0.26		<b>Sheet Flow, AB</b>
					Grass: Short n= 0.150 P2= 2.50"
0.3	300	0.0500	17.16	463.29	<b>Channel Flow, BC</b>
					Area= 27.0 sf Perim= 16.4' r= 1.65' n= 0.027
15.1	527	Total			

**Subcatchment 70X: Ex. College St. South**

Hydrograph



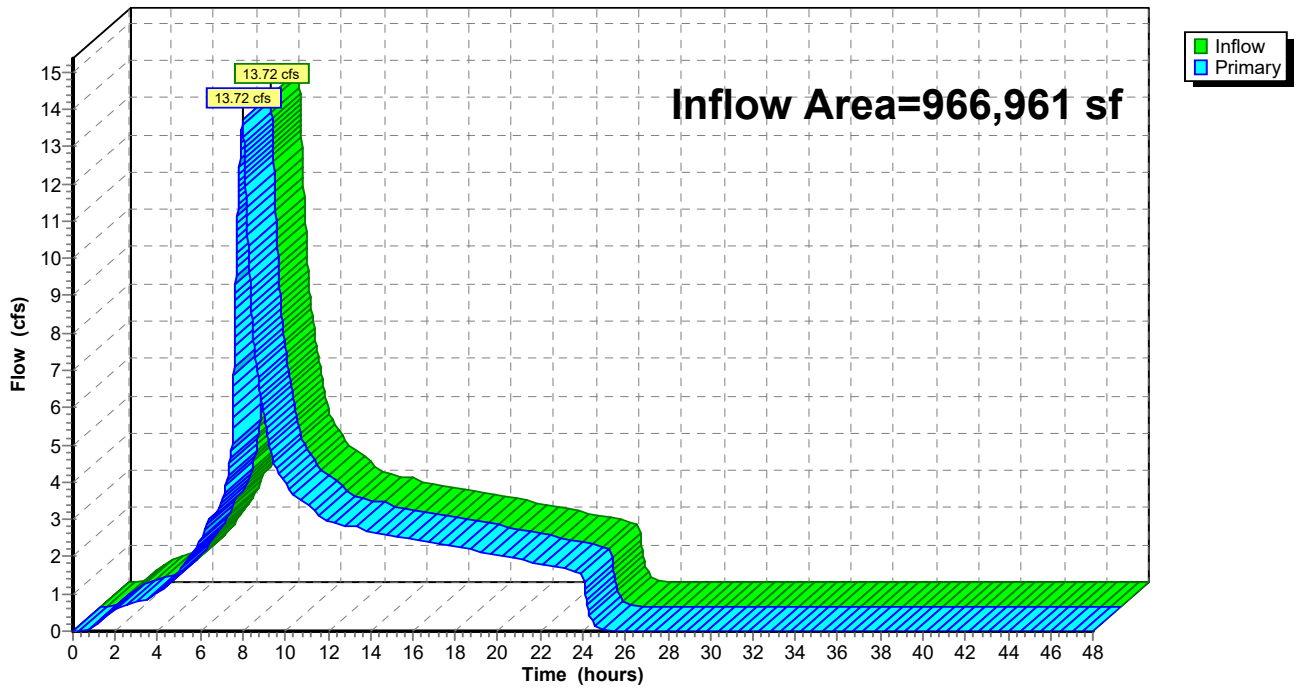
### Summary for Link SUM: Sum

Inflow Area = 966,961 sf, 34.34% Impervious, Inflow Depth = 2.82" for 25 YEAR event  
Inflow = 13.72 cfs @ 8.00 hrs, Volume= 226,942 cf  
Primary = 13.72 cfs @ 8.00 hrs, Volume= 226,942 cf, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

### Link SUM: Sum

Hydrograph



Time span=0.00-48.00 hrs, dt=0.01 hrs, 4801 points x 3

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment1S: Ex. Site South** Runoff Area=64,349 sf 11.44% Impervious Runoff Depth=2.63"  
Flow Length=605' Tc=10.6 min CN=83/98 Runoff=0.90 cfs 14,118 cf

**Subcatchment2S: Ex. Site North** Runoff Area=37,801 sf 5.07% Impervious Runoff Depth=2.54"  
Flow Length=620' Tc=10.8 min CN=83/98 Runoff=0.51 cfs 7,991 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=2.84"  
Flow Length=755' Tc=15.0 min CN=83/98 Runoff=0.12 cfs 2,038 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=2.67"  
Flow Length=870' Tc=13.3 min CN=83/98 Runoff=0.43 cfs 6,956 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=3.25"  
Flow Length=1,580' Tc=16.5 min CN=83/98 Runoff=2.77 cfs 46,721 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=2.96"  
Flow Length=1,328' Tc=16.7 min CN=84/98 Runoff=6.07 cfs 102,786 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=63,049 sf 29.86% Impervious Runoff Depth=2.97"  
Flow Length=1,475' Tc=9.0 min CN=84/98 Runoff=1.02 cfs 15,610 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=3.20"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=1.91 cfs 30,050 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=60,117 sf 44.96% Impervious Runoff Depth=3.09"  
Flow Length=527' Slope=0.0500 '/' Tc=15.1 min CN=82/98 Runoff=0.93 cfs 15,478 cf

**Link SUM: Sum**

Inflow=14.66 cfs 241,750 cf  
Primary=14.66 cfs 241,750 cf

**Total Runoff Area = 966,961 sf Runoff Volume = 241,750 cf Average Runoff Depth = 3.00"**  
**65.66% Pervious = 634,888 sf 34.34% Impervious = 332,073 sf**

Time span=0.00-48.00 hrs, dt=0.01 hrs, 4801 points x 3  
 Runoff by SBUH method, Split Pervious/Imperv.  
 Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment1S: Ex. Site South** Runoff Area=64,349 sf 11.44% Impervious Runoff Depth=2.02"  
 Flow Length=605' Tc=10.6 min CN=83/98 Runoff=0.67 cfs 10,830 cf

**Subcatchment2S: Ex. Site North** Runoff Area=37,801 sf 5.07% Impervious Runoff Depth=1.93"  
 Flow Length=620' Tc=10.8 min CN=83/98 Runoff=0.38 cfs 6,079 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=2.21"  
 Flow Length=755' Tc=15.0 min CN=83/98 Runoff=0.09 cfs 1,589 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=2.05"  
 Flow Length=870' Tc=13.3 min CN=83/98 Runoff=0.32 cfs 5,352 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=2.60"  
 Flow Length=1,580' Tc=16.5 min CN=83/98 Runoff=2.20 cfs 37,350 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=2.32"  
 Flow Length=1,328' Tc=16.7 min CN=84/98 Runoff=4.69 cfs 80,674 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=63,049 sf 29.86% Impervious Runoff Depth=2.33"  
 Flow Length=1,475' Tc=9.0 min CN=84/98 Runoff=0.79 cfs 12,261 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=2.55"  
 Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=1.51 cfs 23,967 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=60,117 sf 44.96% Impervious Runoff Depth=2.45"  
 Flow Length=527' Slope=0.0500 '/' Tc=15.1 min CN=82/98 Runoff=0.73 cfs 12,273 cf

**Link SUM: Sum** Inflow=11.38 cfs 190,374 cf  
 Primary=11.38 cfs 190,374 cf

**Total Runoff Area = 966,961 sf Runoff Volume = 190,374 cf Average Runoff Depth = 2.36"**  
**65.66% Pervious = 634,888 sf 34.34% Impervious = 332,073 sf**



Time span=0.00-48.00 hrs, dt=0.01 hrs, 4801 points x 3  
Runoff by SBUH method, Split Pervious/Imperv.  
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment1S: Ex. Site South** Runoff Area=64,349 sf 11.44% Impervious Runoff Depth=1.19"  
Flow Length=605' Tc=10.6 min CN=83/98 Runoff=0.37 cfs 6,407 cf

**Subcatchment2S: Ex. Site North** Runoff Area=37,801 sf 5.07% Impervious Runoff Depth=1.12"  
Flow Length=620' Tc=10.8 min CN=83/98 Runoff=0.20 cfs 3,520 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=1.36"  
Flow Length=755' Tc=15.0 min CN=83/98 Runoff=0.05 cfs 977 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=1.22"  
Flow Length=870' Tc=13.3 min CN=83/98 Runoff=0.18 cfs 3,190 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=1.70"  
Flow Length=1,580' Tc=16.5 min CN=83/98 Runoff=1.41 cfs 24,364 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=1.45"  
Flow Length=1,328' Tc=16.7 min CN=84/98 Runoff=2.81 cfs 50,414 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=63,049 sf 29.86% Impervious Runoff Depth=1.46"  
Flow Length=1,475' Tc=9.0 min CN=84/98 Runoff=0.48 cfs 7,675 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=1.66"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=0.96 cfs 15,565 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=60,117 sf 44.96% Impervious Runoff Depth=1.57"  
Flow Length=527' Slope=0.0500 '/' Tc=15.1 min CN=82/98 Runoff=0.45 cfs 7,867 cf

**Link SUM: Sum** Inflow=6.91 cfs 119,978 cf  
Primary=6.91 cfs 119,978 cf

**Total Runoff Area = 966,961 sf Runoff Volume = 119,978 cf Average Runoff Depth = 1.49"**  
**65.66% Pervious = 634,888 sf 34.34% Impervious = 332,073 sf**

Time span=0.00-48.00 hrs, dt=0.01 hrs, 4801 points x 3  
Runoff by SBUH method, Split Pervious/Imperv.  
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment1S: Ex. Site South** Runoff Area=64,349 sf 11.44% Impervious Runoff Depth=0.33"  
Flow Length=605' Tc=10.6 min CN=83/98 Runoff=0.07 cfs 1,796 cf

**Subcatchment2S: Ex. Site North** Runoff Area=37,801 sf 5.07% Impervious Runoff Depth=0.28"  
Flow Length=620' Tc=10.8 min CN=83/98 Runoff=0.03 cfs 896 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=0.44"  
Flow Length=755' Tc=15.0 min CN=83/98 Runoff=0.01 cfs 318 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=0.35"  
Flow Length=870' Tc=13.3 min CN=83/98 Runoff=0.04 cfs 922 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=0.66"  
Flow Length=1,580' Tc=16.5 min CN=83/98 Runoff=0.52 cfs 9,497 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=0.49"  
Flow Length=1,328' Tc=16.7 min CN=84/98 Runoff=0.80 cfs 17,155 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=63,049 sf 29.86% Impervious Runoff Depth=0.50"  
Flow Length=1,475' Tc=9.0 min CN=84/98 Runoff=0.14 cfs 2,626 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=0.64"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=0.35 cfs 6,019 cf

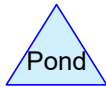
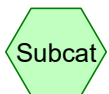
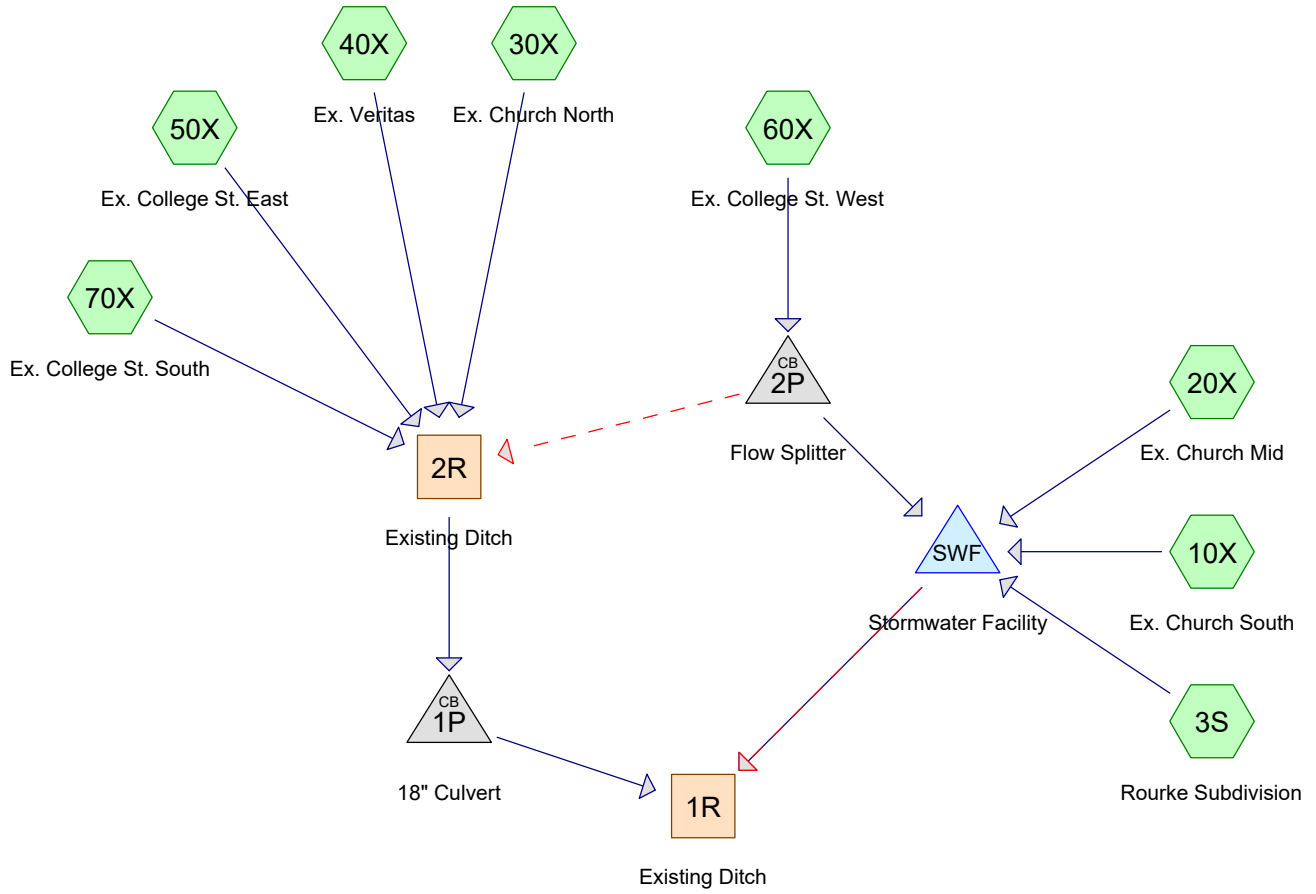
**Subcatchment70X: Ex. College St. South** Runoff Area=60,117 sf 44.96% Impervious Runoff Depth=0.59"  
Flow Length=527' Slope=0.0500 '/' Tc=15.1 min CN=82/98 Runoff=0.16 cfs 2,934 cf

**Link SUM: Sum** Inflow=2.11 cfs 42,163 cf  
Primary=2.11 cfs 42,163 cf

**Total Runoff Area = 966,961 sf Runoff Volume = 42,163 cf Average Runoff Depth = 0.52"**  
**65.66% Pervious = 634,888 sf 34.34% Impervious = 332,073 sf**

**Appendix B: HydroCAD Reports for  
Post-Developed Condition Storm Events  
25-Year Storm Event Analysis  
50-Year Storm Event Analysis Summary Only  
10-Year Storm Event Analysis Summary Only  
2-Year Storm Event Analysis Summary Only  
1/2-Year Storm Event Analysis Summary Only**

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**Routing Diagram for 4612 POST**  
 Prepared by AKS Engineering and Forestry, Printed 10/15/2021  
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## 4612 POST

Prepared by AKS Engineering and Forestry

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### Area Listing (all nodes)

Area (sq-ft)	CN	Description (subcatchment-numbers)
337,604	84	Pasture/grassland/range, Fair, HSG D (40X, 50X)
41,014	98	Paved parking, HSG C (3S, 10X, 20X)
322,872	98	Paved parking, HSG D (30X, 40X, 50X, 60X, 70X)
17,012	98	Paved roads w/curbs & sewers, HSG D (3S)
90,178	82	fair pasture 50%, fair woods 50% (60X, 70X)
76,955	83	fair pasture 80%, fair woods 20% (3S, 10X, 20X)
81,322	83	fair pasture 85%, fair woods 15% (30X)
<b>966,957</b>	<b>89</b>	<b>TOTAL AREA</b>

**4612 POST**

Type IA 24-hr 25 YEAR Rainfall=4.00"

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Time span=0.00-96.00 hrs, dt=0.01 hrs, 9601 points x 3

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment3S: Rourke Subdivision** Runoff Area=95,084 sf 54.20% Impervious Runoff Depth=3.09"  
Tc=5.0 min CN=83/98 Runoff=1.66 cfs 24,466 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=2.66"  
Flow Length=150' Slope=0.0400 '/' Tc=16.6 min CN=83/98 Runoff=0.11 cfs 1,909 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=2.49"  
Flow Length=200' Tc=14.4 min CN=83/98 Runoff=0.39 cfs 6,492 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=3.07"  
Flow Length=1,280' Tc=16.2 min CN=83/98 Runoff=2.62 cfs 44,026 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=2.78"  
Flow Length=1,028' Tc=16.4 min CN=84/98 Runoff=5.70 cfs 96,411 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=61,002 sf 30.86% Impervious Runoff Depth=2.80"  
Flow Length=1,175' Tc=8.7 min CN=84/98 Runoff=0.94 cfs 14,241 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=3.01"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=1.79 cfs 28,300 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=69,226 sf 48.52% Impervious Runoff Depth=2.96"  
Flow Length=227' Slope=0.0500 '/' Tc=14.8 min CN=82/98 Runoff=1.03 cfs 17,081 cf

**Reach 1R: Existing Ditch** Avg. Flow Depth=1.04' Max Vel=5.64 fps Inflow=13.58 cfs 232,927 cf  
n=0.040 L=80.0' S=0.0480 '/' Capacity=120.02 cfs Outflow=13.58 cfs 232,927 cf

**Reach 2R: Existing Ditch** Avg. Flow Depth=0.92' Max Vel=5.72 fps Inflow=12.06 cfs 199,046 cf  
n=0.033 L=300.0' S=0.0372 '/' Capacity=128.07 cfs Outflow=12.03 cfs 199,046 cf

**Pond 1P: 18" Culvert** Peak Elev=301.82' Inflow=12.03 cfs 199,046 cf  
18.0" Round Culvert n=0.013 L=54.0' S=0.0104 '/' Outflow=12.03 cfs 199,046 cf

**Pond 2P: Flow Splitter** Peak Elev=313.23' Inflow=1.79 cfs 28,300 cf  
Primary=0.01 cfs 1,014 cf Secondary=1.78 cfs 27,286 cf Outflow=1.79 cfs 28,300 cf

**Pond SWF: Stormwater Facility** Peak Elev=308.84' Storage=5,962 cf Inflow=2.16 cfs 33,881 cf  
Primary=0.04 cfs 5,767 cf Secondary=1.65 cfs 28,114 cf Outflow=1.68 cfs 33,881 cf

**Total Runoff Area = 966,957 sf Runoff Volume = 232,927 cf Average Runoff Depth = 2.89"**  
**60.61% Pervious = 586,059 sf 39.39% Impervious = 380,898 sf**

**Summary for Subcatchment 3S: Rourke Subdivision**

Runoff = 1.66 cfs @ 7.90 hrs, Volume= 24,466 cf, Depth= 3.09"

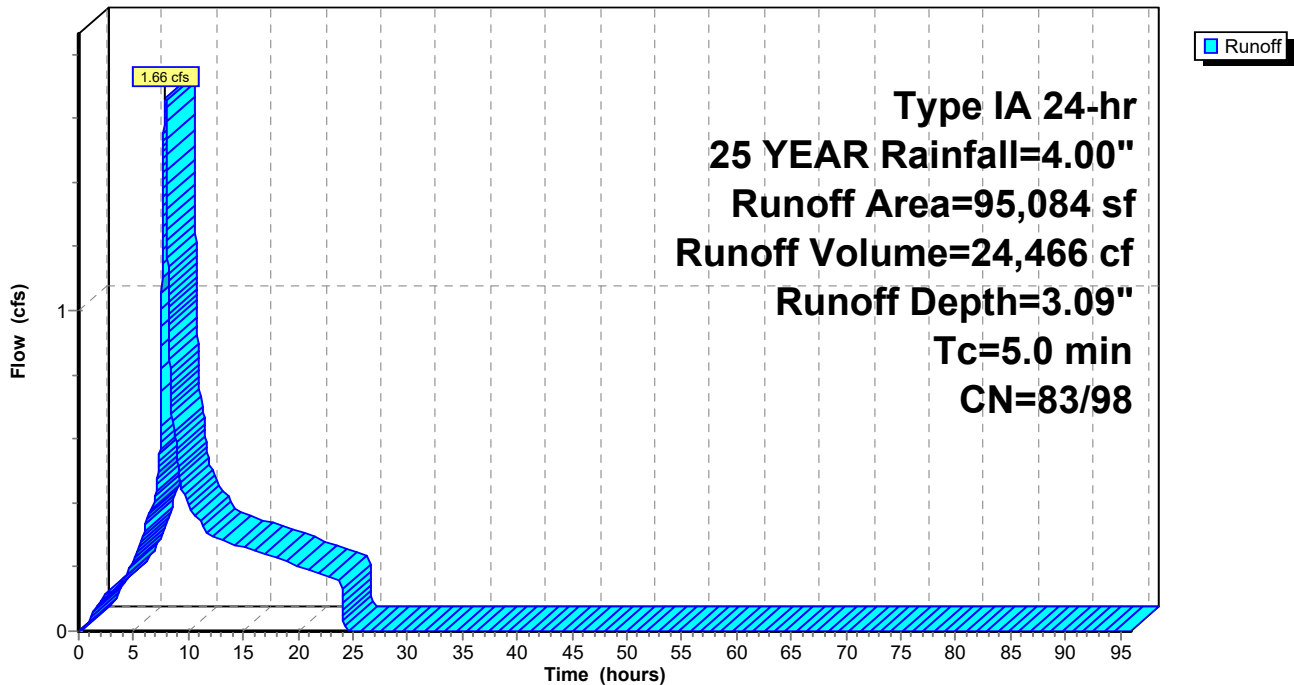
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-96.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
34,524	98	Paved parking, HSG C
17,012	98	Paved roads w/curbs & sewers, HSG D
* 43,548	83	fair pasture 80%, fair woods 20%
95,084	91	Weighted Average
43,548		45.80% Pervious Area
51,536		54.20% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0					Direct Entry,

**Subcatchment 3S: Rourke Subdivision**

Hydrograph



**Summary for Subcatchment 10X: Ex. Church South**

Runoff = 0.11 cfs @ 8.00 hrs, Volume= 1,909 cf, Depth= 2.66"

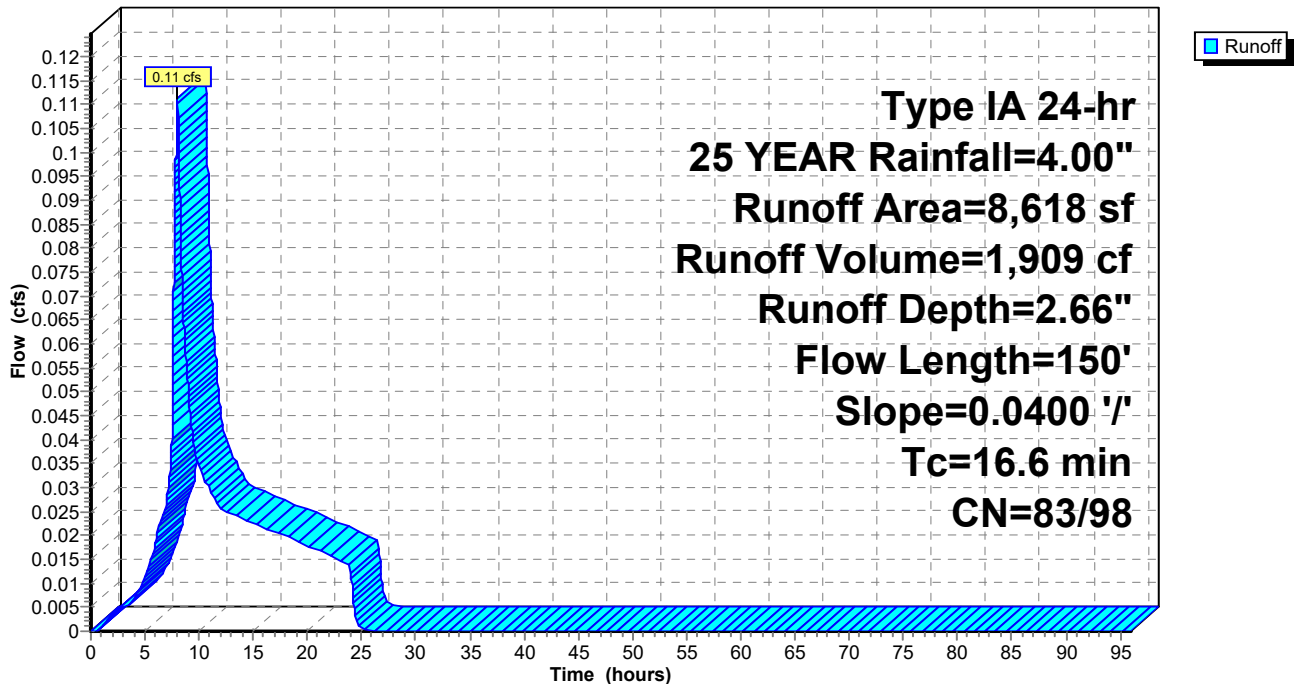
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-96.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
2,164	98	Paved parking, HSG C
* 6,454	83	fair pasture 80%, fair woods 20%
8,618	87	Weighted Average
6,454		74.89% Pervious Area
2,164		25.11% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
11.6	150	0.0400	0.22		Sheet Flow, Grass: Short n= 0.150 P2= 2.50"
5.0					Direct Entry,
16.6	150	Total			

**Subcatchment 10X: Ex. Church South**

Hydrograph





**Summary for Subcatchment 20X: Ex. Church Mid**

Runoff = 0.39 cfs @ 8.00 hrs, Volume= 6,492 cf, Depth= 2.49"

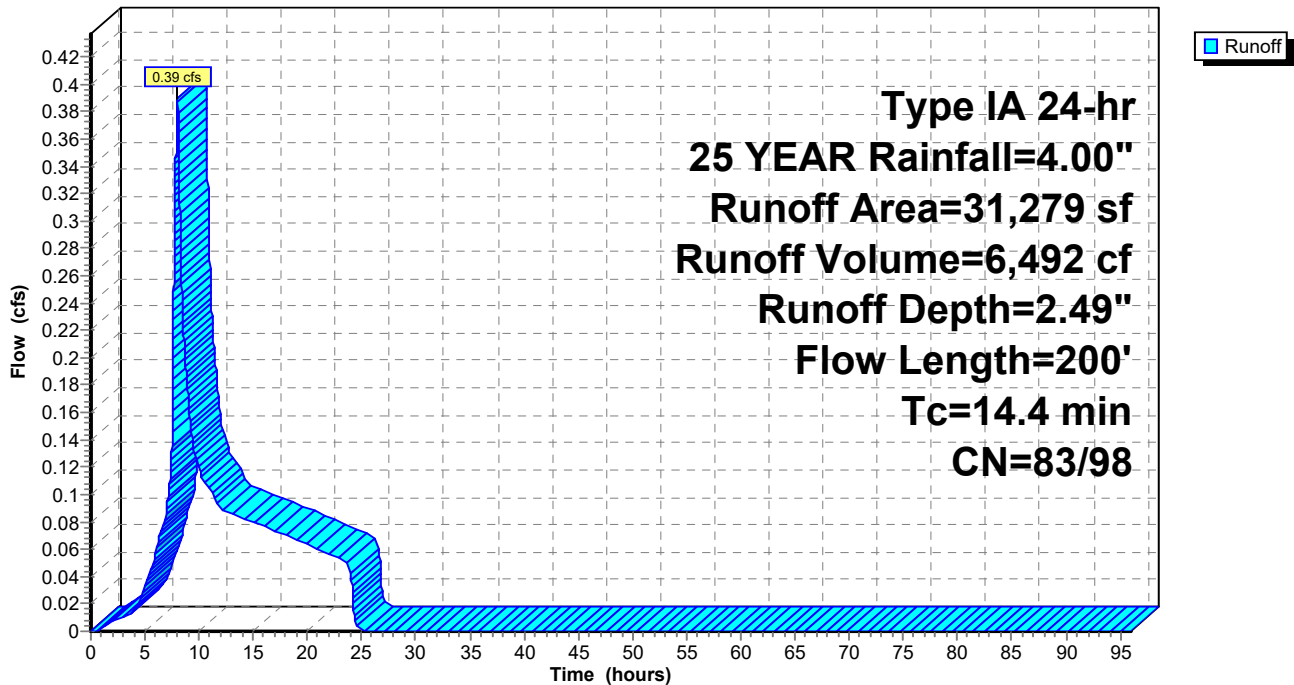
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-96.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
4,326	98	Paved parking, HSG C
* 26,953	83	fair pasture 80%, fair woods 20%
31,279	85	Weighted Average
26,953		86.17% Pervious Area
4,326		13.83% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.4	100	0.0400	0.20		<b>Sheet Flow, AB</b>
1.0	100	0.0600	1.71		Grass: Short n= 0.150 P2= 2.50" <b>Shallow Concentrated Flow, BC</b>
5.0					Short Grass Pasture Kv= 7.0 fps <b>Direct Entry,</b>
14.4	200	Total			

**Subcatchment 20X: Ex. Church Mid**

Hydrograph



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Type IA 24-hr 25 YEAR Rainfall=4.00"

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**Summary for Subcatchment 30X: Ex. Church North**

Runoff = 2.62 cfs @ 8.00 hrs, Volume= 44,026 cf, Depth= 3.07"

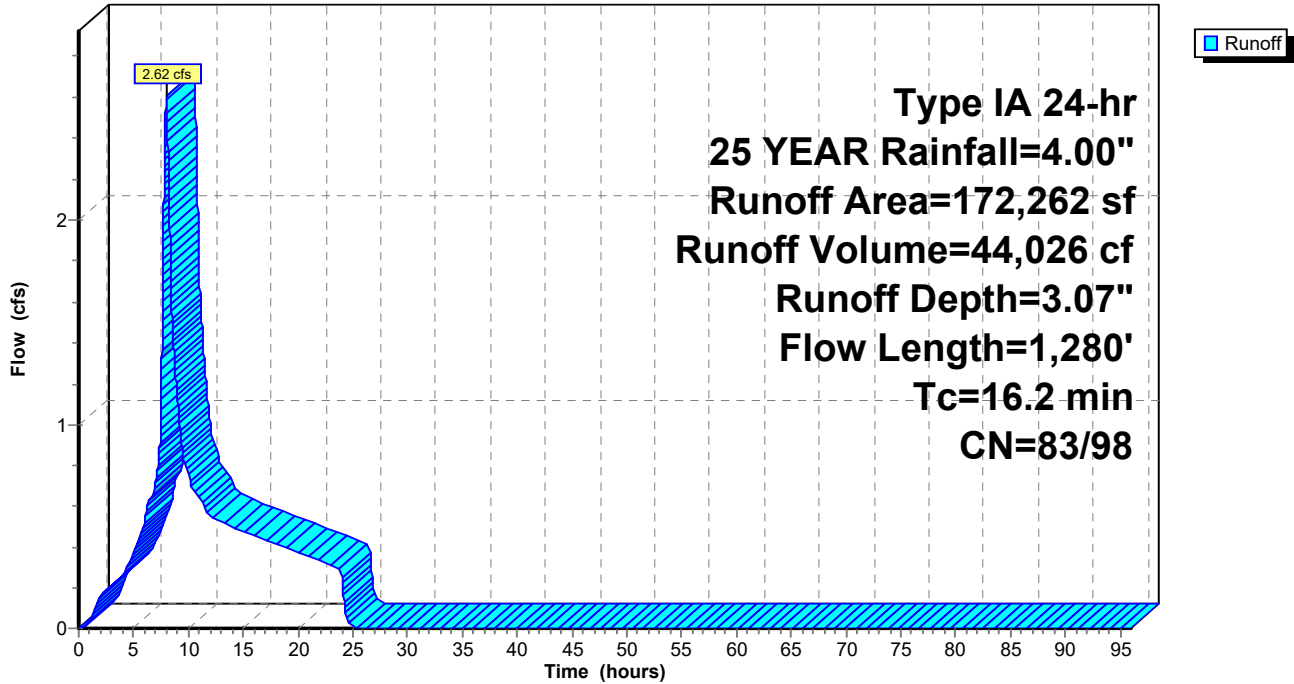
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-96.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
90,940	98	Paved parking, HSG D
* 81,322	83	fair pasture 85%, fair woods 15%
172,262	91	Weighted Average
81,322		47.21% Pervious Area
90,940		52.79% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
8.9	100	0.0350	0.19		<b>Sheet Flow, AB</b> Grass: Short n= 0.150 P2= 2.50"
1.9	200	0.0350	1.75		<b>Sheet Flow, BC</b> Smooth surfaces n= 0.011 P2= 2.50"
0.8	165	0.0300	3.52		<b>Shallow Concentrated Flow, CD</b> Paved Kv= 20.3 fps
1.8	195	0.0680	1.83		<b>Shallow Concentrated Flow, DE</b> Short Grass Pasture Kv= 7.0 fps
2.5	345	0.0440	2.33	0.70	<b>Channel Flow, EF</b> Area= 0.3 sf Perim= 1.4' r= 0.21' n= 0.048
0.3	275	0.0500	14.93	268.76	<b>Channel Flow, FG</b> Area= 18.0 sf Perim= 11.5' r= 1.57' n= 0.030
16.2	1,280	Total			

Subcatchment 30X: Ex. Church North

Hydrograph



**Summary for Subcatchment 40X: Ex. Veritas**

Runoff = 5.70 cfs @ 8.00 hrs, Volume= 96,411 cf, Depth= 2.78"

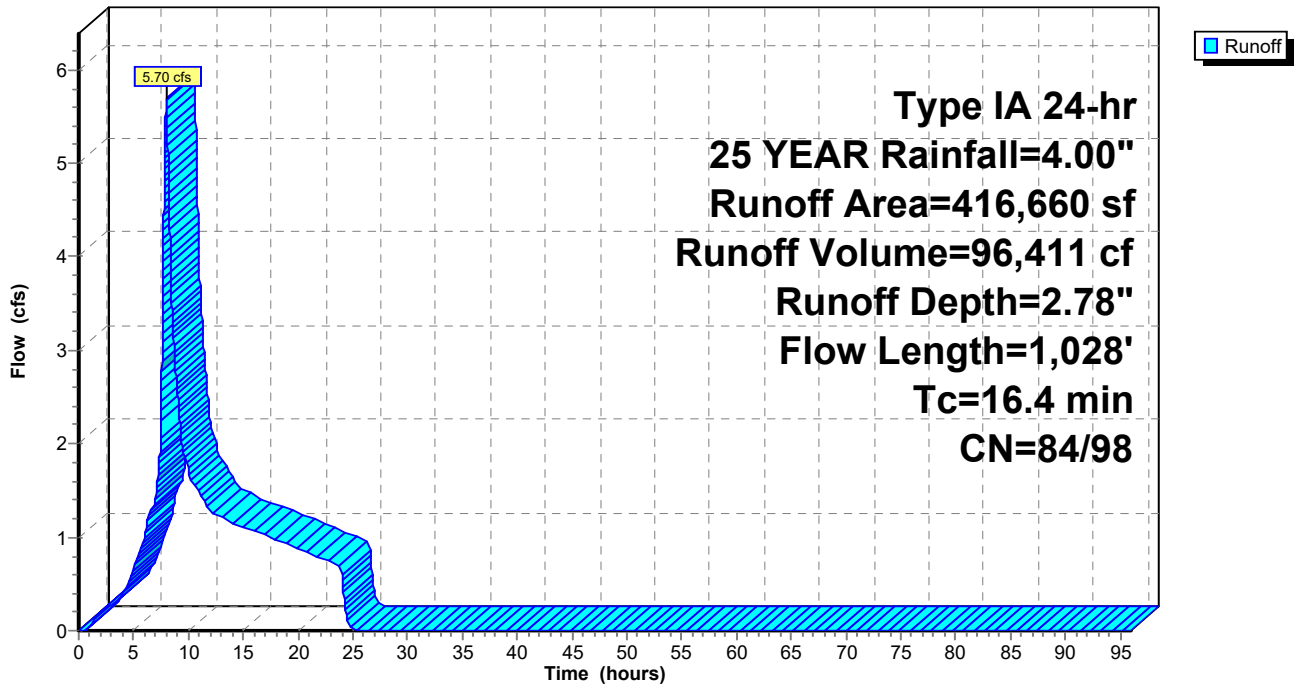
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-96.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
121,230	98	Paved parking, HSG D
295,430	84	Pasture/grassland/range, Fair, HSG D
416,660	88	Weighted Average
295,430		70.90% Pervious Area
121,230		29.10% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.4	153	0.0700	0.27		<b>Sheet Flow, AB</b>
					Grass: Short n= 0.150 P2= 2.50"
6.7	600	0.0460	1.50		<b>Shallow Concentrated Flow, BC</b>
					Short Grass Pasture Kv= 7.0 fps
0.3	275	0.0500	14.93	268.76	<b>Channel Flow,</b>
					Area= 18.0 sf Perim= 11.5' r= 1.57' n= 0.030
16.4	1,028	Total			

**Subcatchment 40X: Ex. Veritas**

Hydrograph



**Summary for Subcatchment 50X: Ex. College St. East**

Runoff = 0.94 cfs @ 7.98 hrs, Volume= 14,241 cf, Depth= 2.80"

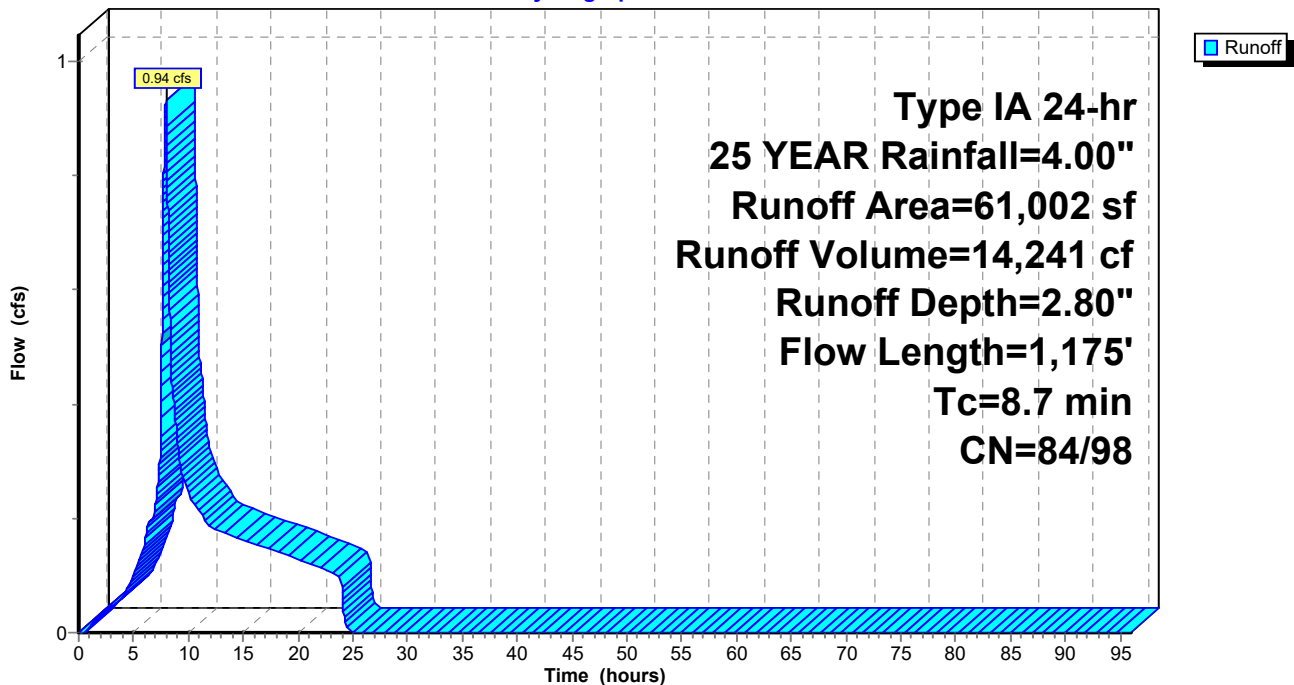
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-96.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
18,828	98	Paved parking, HSG D
42,174	84	Pasture/grassland/range, Fair, HSG D
61,002	88	Weighted Average
42,174		69.14% Pervious Area
18,828		30.86% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.4	40	0.0700	1.67		<b>Sheet Flow, AB</b> Smooth surfaces n= 0.011 P2= 2.50"
6.7	600	0.0460	1.50		<b>Shallow Concentrated Flow, BC</b> Short Grass Pasture Kv= 7.0 fps
1.3	260	0.0500	3.35		<b>Shallow Concentrated Flow,</b> Grassed Waterway Kv= 15.0 fps
0.3	275	0.0500	14.93	268.76	<b>Channel Flow,</b> Area= 18.0 sf Perim= 11.5' r= 1.57' n= 0.030
8.7	1,175	Total			

**Subcatchment 50X: Ex. College St. East**

Hydrograph



**Summary for Subcatchment 60X: Ex. College St. West**

Runoff = 1.79 cfs @ 8.00 hrs, Volume= 28,300 cf, Depth= 3.01"

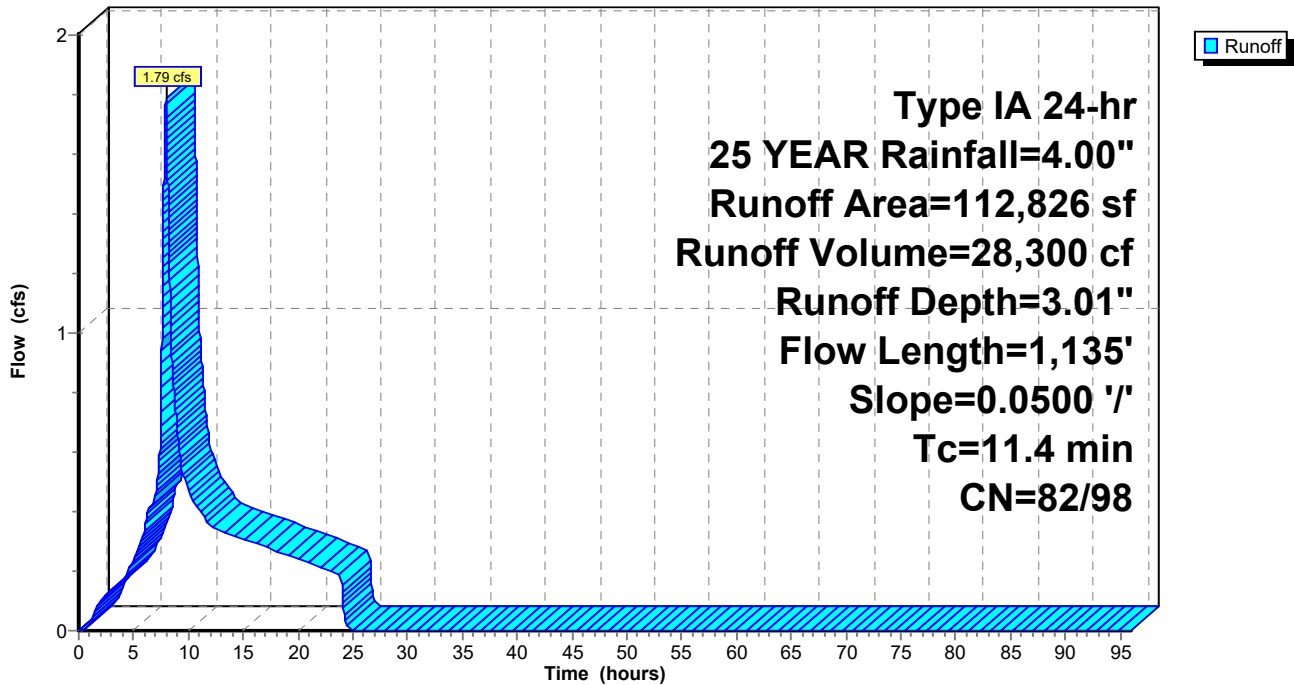
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-96.00 hrs, dt= 0.01 hrs  
 Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
58,284	98	Paved parking, HSG D
* 54,542	82	fair pasture 50%, fair woods 50%
112,826	90	Weighted Average
54,542		48.34% Pervious Area
58,284		51.66% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
10.3	145	0.0500	0.23		<b>Sheet Flow, AB</b> Grass: Short n= 0.150 P2= 2.50"
0.8	690	0.0500	14.12	211.86	<b>Channel Flow, BC</b> Area= 15.0 sf Perim= 12.2' r= 1.23' n= 0.027
0.3	300	0.0500	17.16	463.29	<b>Channel Flow,</b> Area= 27.0 sf Perim= 16.4' r= 1.65' n= 0.027
11.4	1,135	Total			

**Subcatchment 60X: Ex. College St. West**

Hydrograph



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Type IA 24-hr 25 YEAR Rainfall=4.00"

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**Summary for Subcatchment 70X: Ex. College St. South**

Runoff = 1.03 cfs @ 8.00 hrs, Volume= 17,081 cf, Depth= 2.96"

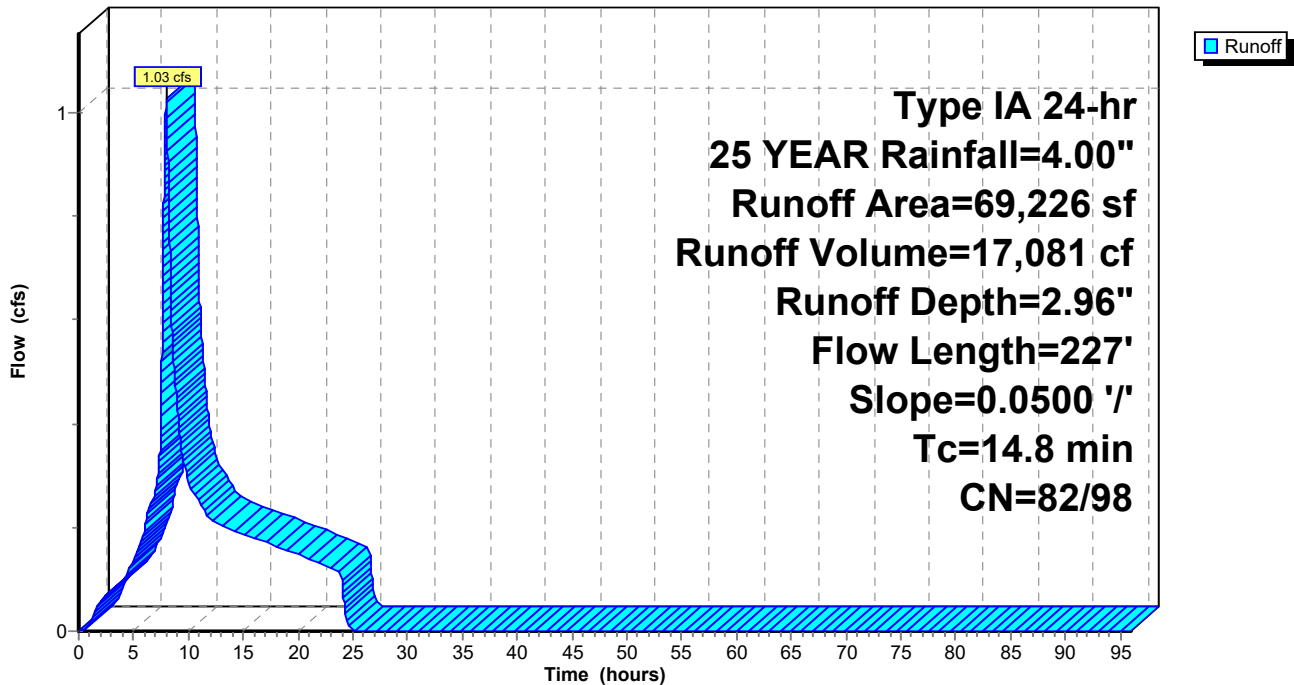
Runoff by SBUH method, Split Pervious/Imperv., Time Span= 0.00-96.00 hrs, dt= 0.01 hrs  
Type IA 24-hr 25 YEAR Rainfall=4.00"

Area (sf)	CN	Description
33,590	98	Paved parking, HSG D
* 35,636	82	fair pasture 50%, fair woods 50%
69,226	90	Weighted Average
35,636		51.48% Pervious Area
33,590		48.52% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.8	227	0.0500	0.26		<b>Sheet Flow, AB</b> Grass: Short n= 0.150 P2= 2.50"

**Subcatchment 70X: Ex. College St. South**

Hydrograph



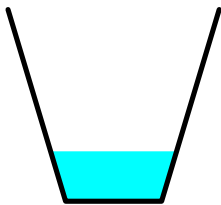
### Summary for Reach 1R: Existing Ditch

Inflow Area = 966,957 sf, 39.39% Impervious, Inflow Depth = 2.89" for 25 YEAR event  
 Inflow = 13.58 cfs @ 8.01 hrs, Volume= 232,927 cf  
 Outflow = 13.58 cfs @ 8.01 hrs, Volume= 232,927 cf, Atten= 0%, Lag= 0.2 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.01 hrs / 3  
 Max. Velocity= 5.64 fps, Min. Travel Time= 0.2 min  
 Avg. Velocity = 1.79 fps, Avg. Travel Time= 0.7 min

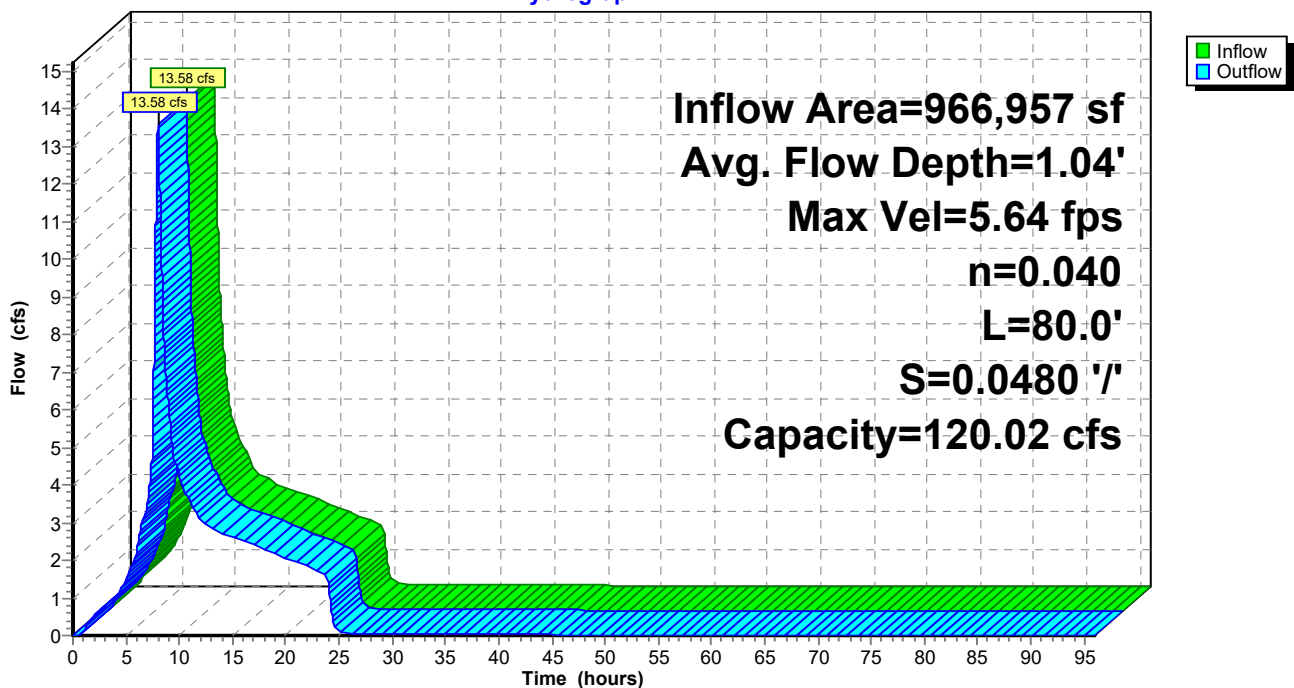
Peak Storage= 193 cf @ 8.01 hrs  
 Average Depth at Peak Storage= 1.04'  
 Bank-Full Depth= 4.00' Flow Area= 12.8 sf, Capacity= 120.02 cfs

2.00' x 4.00' deep channel, n= 0.040 Earth, dense weeds  
 Side Slope Z-value= 0.3 '/' Top Width= 4.40'  
 Length= 80.0' Slope= 0.0480 '/'  
 Inlet Invert= 298.29', Outlet Invert= 294.45'



### Reach 1R: Existing Ditch

Hydrograph





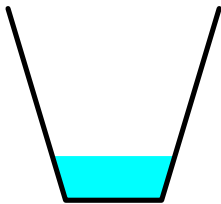
### Summary for Reach 2R: Existing Ditch

Inflow Area = 719,150 sf, 36.79% Impervious, Inflow Depth = 3.32" for 25 YEAR event  
 Inflow = 12.06 cfs @ 8.00 hrs, Volume= 199,046 cf  
 Outflow = 12.03 cfs @ 8.01 hrs, Volume= 199,046 cf, Atten= 0%, Lag= 0.4 min

Routing by Dyn-Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.01 hrs / 3  
 Max. Velocity= 5.72 fps, Min. Travel Time= 0.9 min  
 Avg. Velocity = 3.06 fps, Avg. Travel Time= 1.6 min

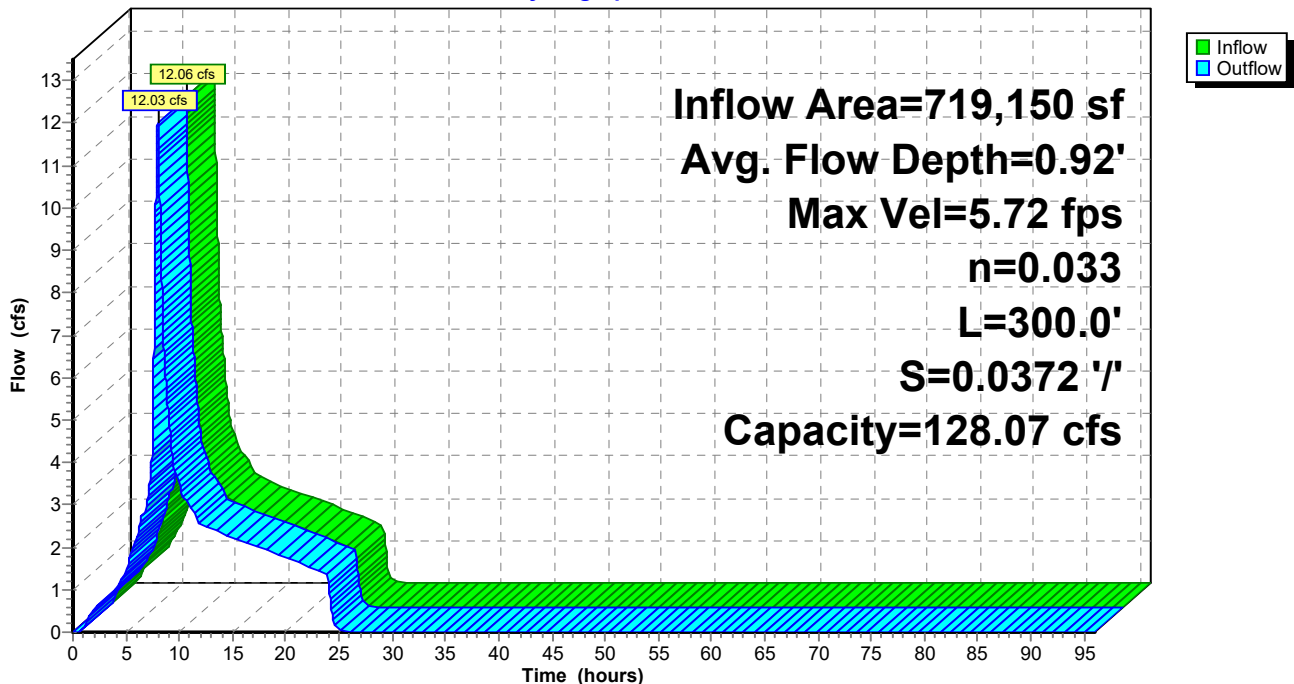
Peak Storage= 631 cf @ 8.01 hrs  
 Average Depth at Peak Storage= 0.92'  
 Defined Flood Depth= 3.00' Flow Area= 8.7 sf, Capacity= 78.19 cfs  
 Bank-Full Depth= 4.00' Flow Area= 12.8 sf, Capacity= 128.07 cfs

2.00' x 4.00' deep channel, n= 0.033 Earth, grassed & winding  
 Side Slope Z-value= 0.3 '/' Top Width= 4.40'  
 Length= 300.0' Slope= 0.0372 '/'  
 Inlet Invert= 310.23', Outlet Invert= 299.07'



### Reach 2R: Existing Ditch

Hydrograph



### Summary for Pond 1P: 18" Culvert

[62] Hint: Exceeded Reach 2R OUTLET depth by 1.83' @ 8.01 hrs

Inflow Area = 719,150 sf, 36.79% Impervious, Inflow Depth = 3.32" for 25 YEAR event  
 Inflow = 12.03 cfs @ 8.01 hrs, Volume= 199,046 cf  
 Outflow = 12.03 cfs @ 8.01 hrs, Volume= 199,046 cf, Atten= 0%, Lag= 0.0 min  
 Primary = 12.03 cfs @ 8.01 hrs, Volume= 199,046 cf

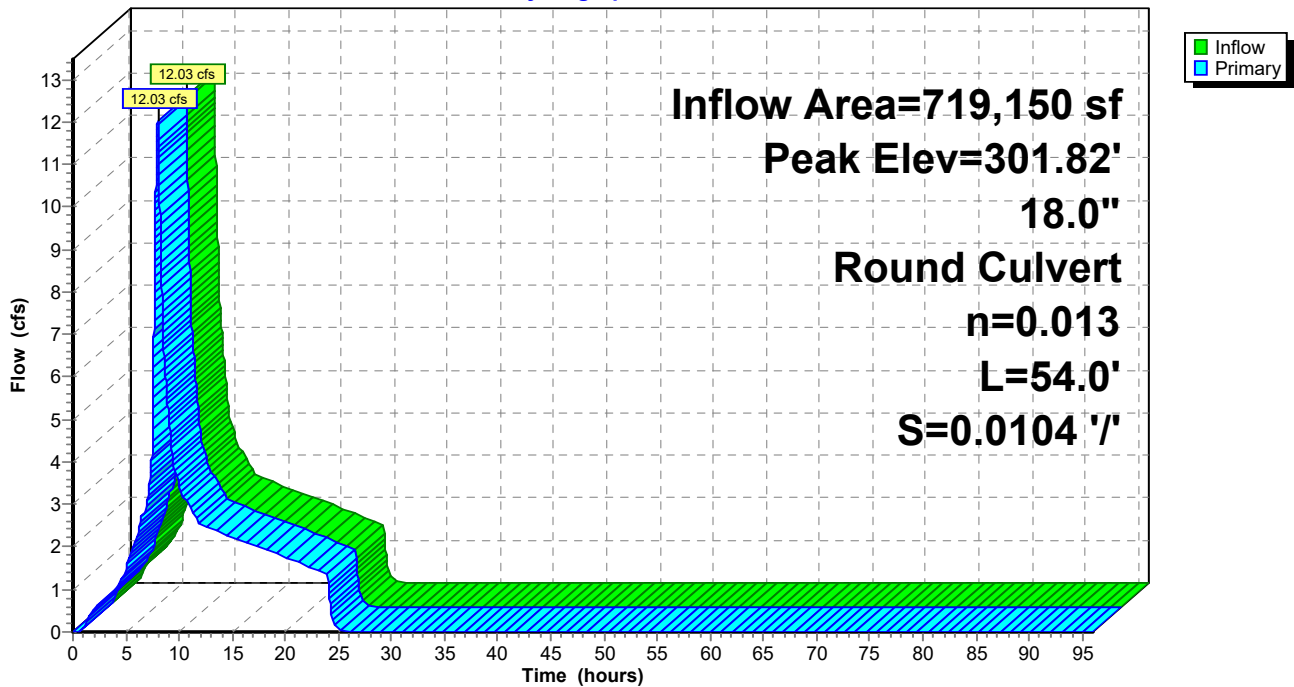
Routing by Dyn-Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.01 hrs / 3  
 Peak Elev= 301.82' @ 8.01 hrs  
 Flood Elev= 302.10'

Device #	Routing	Invert	Outlet Devices
#1	Primary	299.07'	<b>18.0" Round Culvert</b> L= 54.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 299.07' / 298.51' S= 0.0104 '/ Cc= 0.900 n= 0.013, Flow Area= 1.77 sf

**Primary OutFlow** Max=12.03 cfs @ 8.01 hrs HW=301.82' TW=299.33' (Dynamic Tailwater)  
 ←1=Culvert (Inlet Controls 12.03 cfs @ 6.81 fps)

### Pond 1P: 18" Culvert

Hydrograph



**Summary for Pond 2P: Flow Splitter**

Inflow Area = 112,826 sf, 51.66% Impervious, Inflow Depth = 3.01" for 25 YEAR event  
 Inflow = 1.79 cfs @ 8.00 hrs, Volume= 28,300 cf  
 Outflow = 1.79 cfs @ 8.00 hrs, Volume= 28,300 cf, Atten= 0%, Lag= 0.0 min  
 Primary = 0.01 cfs @ 8.00 hrs, Volume= 1,014 cf  
 Secondary = 1.78 cfs @ 8.00 hrs, Volume= 27,286 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.01 hrs / 3  
 Peak Elev= 313.23' @ 8.00 hrs  
 Flood Elev= 314.00'

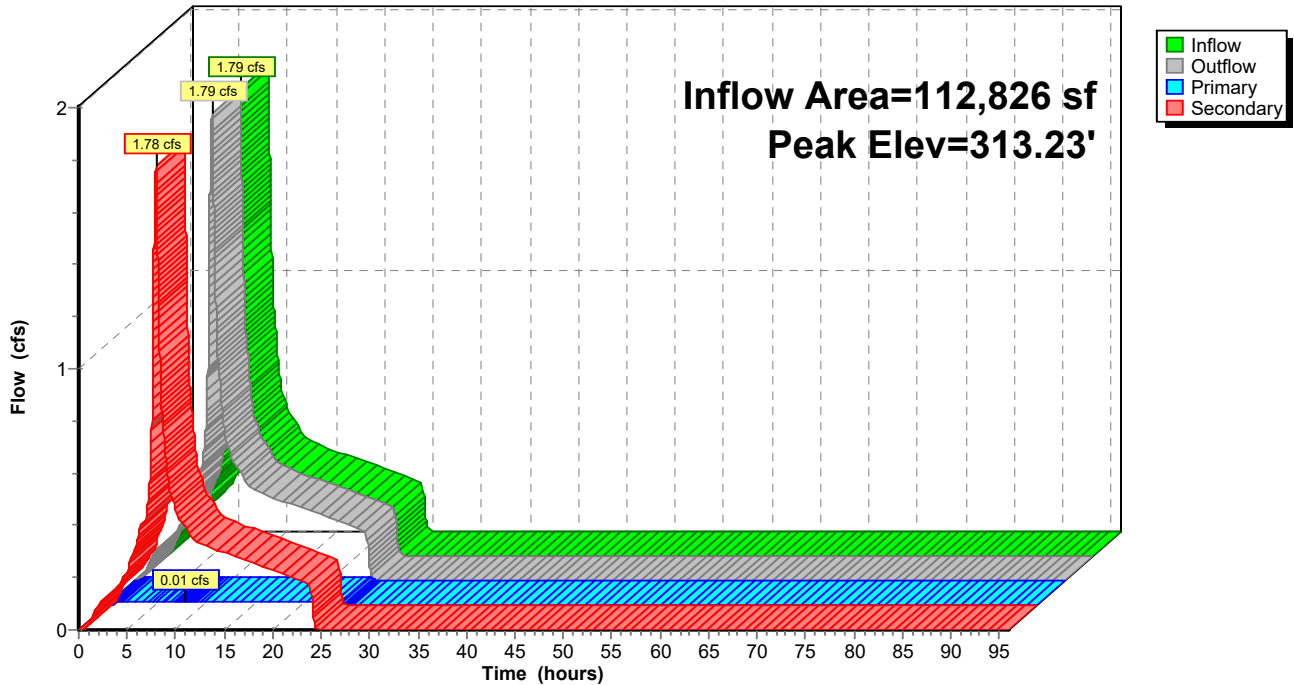
Device	Routing	Invert	Outlet Devices
#1	Primary	311.90'	<b>0.7" Vert. Orifice</b> C= 0.600
#2	Secondary	312.50'	<b>12.0" Round Culvert</b> L= 65.0' Ke= 0.500 Inlet / Outlet Invert= 312.50' / 307.23' S= 0.0811 '/' Cc= 0.900 n= 0.013 Concrete pipe, straight & clean, Flow Area= 0.79 sf

**Primary OutFlow** Max=0.01 cfs @ 8.00 hrs HW=313.23' TW=308.80' (Dynamic Tailwater)  
 ↳1=Orifice (Orifice Controls 0.01 cfs @ 5.48 fps)

**Secondary OutFlow** Max=1.77 cfs @ 8.00 hrs HW=313.23' TW=311.15' (Dynamic Tailwater)  
 ↳2=Culvert (Inlet Controls 1.77 cfs @ 2.90 fps)

**Pond 2P: Flow Splitter**

Hydrograph



**Summary for Pond SWF: Stormwater Facility**

Inflow Area = 247,807 sf, 46.94% Impervious, Inflow Depth = 1.64" for 25 YEAR event  
 Inflow = 2.16 cfs @ 7.94 hrs, Volume= 33,881 cf  
 Outflow = 1.68 cfs @ 8.10 hrs, Volume= 33,881 cf, Atten= 22%, Lag= 9.8 min  
 Primary = 0.04 cfs @ 8.10 hrs, Volume= 5,767 cf  
 Secondary = 1.65 cfs @ 8.10 hrs, Volume= 28,114 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.01 hrs / 3  
 Peak Elev= 308.84' @ 8.10 hrs Surf.Area= 2,588 sf Storage= 5,962 cf  
 Flood Elev= 309.00' Surf.Area= 2,684 sf Storage= 6,388 cf

Plug-Flow detention time= 237.8 min calculated for 33,877 cf (100% of inflow)  
 Center-of-Mass det. time= 238.0 min ( 954.6 - 716.6 )

Volume	Invert	Avail.Storage	Storage Description
#1	305.00'	9,397 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
305.00	669	0	0
306.00	1,073	871	871
307.00	1,550	1,312	2,183
308.00	2,088	1,819	4,002
309.00	2,684	2,386	6,388
310.00	3,335	3,010	9,397

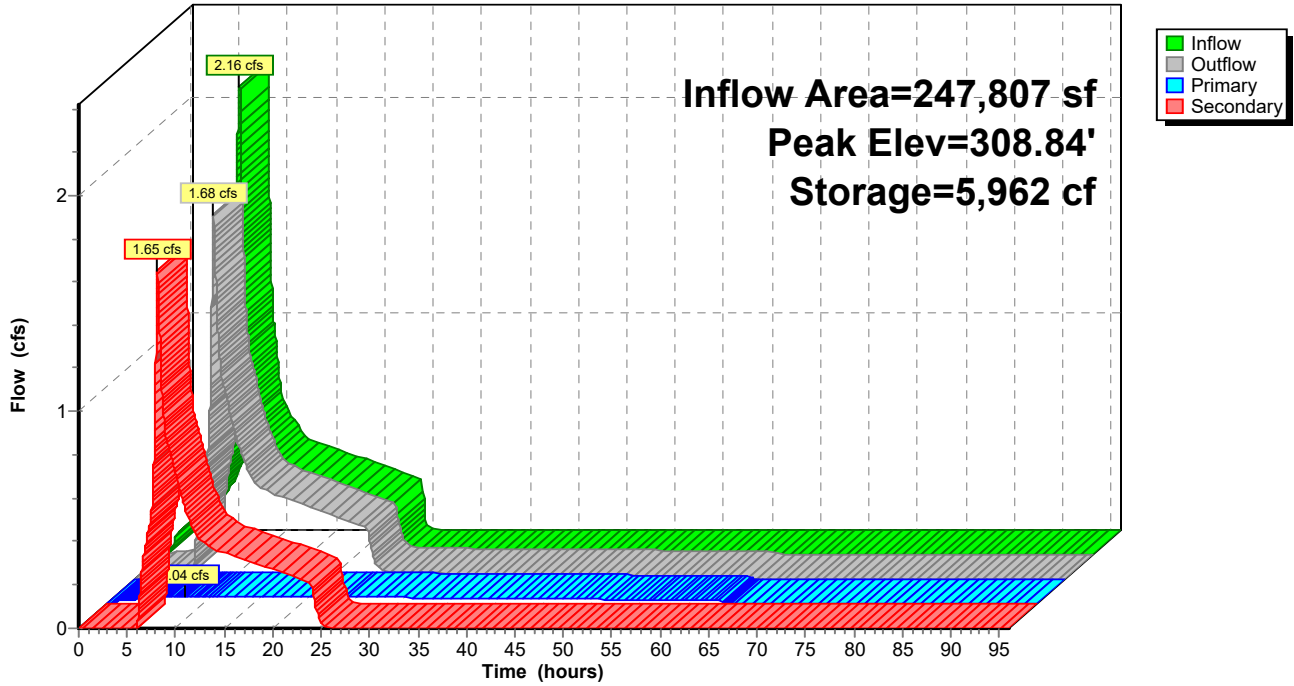
Device	Routing	Invert	Outlet Devices
#1	Secondary	308.60'	<b>2.0' long (Profile 17) Broad-Crested Rectangular Weir</b> Head (feet) 0.49 0.98 1.48 1.97 2.46 2.95 Coef. (English) 2.84 3.13 3.26 3.30 3.31 3.31
#2	Secondary	307.50'	<b>6.0" Vert. DET Orifice</b> C= 0.600
#3	Device 4	305.00'	<b>2.0' long (Profile 17) Broad-Crested Rectangular Weir</b> Head (feet) 0.49 0.98 1.48 1.97 2.46 2.95 Coef. (English) 2.84 3.13 3.26 3.30 3.31 3.31
#4	Device 5	304.50'	<b>0.8" Vert. WQ Orifice</b> C= 0.620
#5	Primary	303.50'	<b>12.0" Round Round Culvert</b> L= 60.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 303.50' / 298.31' S= 0.0865 '/' Cc= 0.900 n= 0.013 Concrete pipe, straight & clean, Flow Area= 0.79 sf

**Primary OutFlow** Max=0.04 cfs @ 8.10 hrs HW=308.84' TW=299.29' (Dynamic Tailwater)  
 ↳5=Round Culvert (Passes 0.04 cfs of 8.32 cfs potential flow)  
 ↳4=WQ Orifice (Orifice Controls 0.04 cfs @ 10.32 fps)  
 ↳3=Broad-Crested Rectangular Weir(Passes 0.04 cfs of 49.78 cfs potential flow)

**Secondary OutFlow** Max=1.65 cfs @ 8.10 hrs HW=308.84' TW=299.29' (Dynamic Tailwater)  
 ↳1=Broad-Crested Rectangular Weir(Weir Controls 0.66 cfs @ 1.39 fps)  
 ↳2=DET Orifice (Orifice Controls 0.99 cfs @ 5.02 fps)

### Pond SWF: Stormwater Facility

Hydrograph



**4612 POST**

Type IA 24-hr 50 YEAR Rainfall=4.20"

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Time span=0.00-96.00 hrs, dt=0.01 hrs, 9601 points x 3

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment3S: Rourke Subdivision** Runoff Area=95,084 sf 54.20% Impervious Runoff Depth=3.28"  
Tc=5.0 min CN=83/98 Runoff=1.77 cfs 25,957 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=2.84"  
Flow Length=150' Slope=0.0400 '/ Tc=16.6 min CN=83/98 Runoff=0.12 cfs 2,038 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=2.67"  
Flow Length=200' Tc=14.4 min CN=83/98 Runoff=0.42 cfs 6,956 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=3.25"  
Flow Length=1,280' Tc=16.2 min CN=83/98 Runoff=2.78 cfs 46,721 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=2.96"  
Flow Length=1,028' Tc=16.4 min CN=84/98 Runoff=6.10 cfs 102,786 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=61,002 sf 30.86% Impervious Runoff Depth=2.99"  
Flow Length=1,175' Tc=8.7 min CN=84/98 Runoff=1.00 cfs 15,176 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=3.20"  
Flow Length=1,135' Slope=0.0500 '/ Tc=11.4 min CN=82/98 Runoff=1.91 cfs 30,050 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=69,226 sf 48.52% Impervious Runoff Depth=3.15"  
Flow Length=227' Slope=0.0500 '/ Tc=14.8 min CN=82/98 Runoff=1.10 cfs 18,150 cf

**Reach 1R: Existing Ditch** Avg. Flow Depth=1.09' Max Vel=5.75 fps Inflow=14.63 cfs 247,835 cf  
n=0.040 L=80.0' S=0.0480 '/ Capacity=120.02 cfs Outflow=14.62 cfs 247,835 cf

**Reach 2R: Existing Ditch** Avg. Flow Depth=0.96' Max Vel=5.83 fps Inflow=12.87 cfs 211,863 cf  
n=0.033 L=300.0' S=0.0372 '/ Capacity=128.07 cfs Outflow=12.84 cfs 211,863 cf

**Pond 1P: 18" Culvert** Peak Elev=302.10' Inflow=12.84 cfs 211,863 cf  
18.0" Round Culvert n=0.013 L=54.0' S=0.0104 '/ Outflow=12.84 cfs 211,863 cf

**Pond 2P: Flow Splitter** Peak Elev=313.26' Inflow=1.91 cfs 30,050 cf  
Primary=0.01 cfs 1,021 cf Secondary=1.89 cfs 29,030 cf Outflow=1.91 cfs 30,050 cf

**Pond SWF: Stormwater Facility** Peak Elev=308.88' Storage=6,068 cf Inflow=2.30 cfs 35,972 cf  
Primary=0.04 cfs 5,786 cf Secondary=1.84 cfs 30,185 cf Outflow=1.88 cfs 35,972 cf

**Total Runoff Area = 966,957 sf Runoff Volume = 247,835 cf Average Runoff Depth = 3.08"**  
**60.61% Pervious = 586,059 sf 39.39% Impervious = 380,898 sf**

**4612 POST**

Type IA 24-hr 10 YEAR Rainfall=3.50"

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Time span=0.00-96.00 hrs, dt=0.01 hrs, 9601 points x 3

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment3S: Rourke Subdivision** Runoff Area=95,084 sf 54.20% Impervious Runoff Depth=2.62"  
Tc=5.0 min CN=83/98 Runoff=1.41 cfs 20,773 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=2.21"  
Flow Length=150' Slope=0.0400 '/' Tc=16.6 min CN=83/98 Runoff=0.09 cfs 1,589 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=2.05"  
Flow Length=200' Tc=14.4 min CN=83/98 Runoff=0.32 cfs 5,352 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=2.60"  
Flow Length=1,280' Tc=16.2 min CN=83/98 Runoff=2.21 cfs 37,350 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=2.32"  
Flow Length=1,028' Tc=16.4 min CN=84/98 Runoff=4.71 cfs 80,674 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=61,002 sf 30.86% Impervious Runoff Depth=2.35"  
Flow Length=1,175' Tc=8.7 min CN=84/98 Runoff=0.78 cfs 11,931 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=2.55"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=1.51 cfs 23,968 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=69,226 sf 48.52% Impervious Runoff Depth=2.50"  
Flow Length=227' Slope=0.0500 '/' Tc=14.8 min CN=82/98 Runoff=0.86 cfs 14,437 cf

**Reach 1R: Existing Ditch** Avg. Flow Depth=0.91' Max Vel=5.32 fps Inflow=10.98 cfs 196,073 cf  
n=0.040 L=80.0' S=0.0480 '/' Capacity=120.02 cfs Outflow=10.97 cfs 196,073 cf

**Reach 2R: Existing Ditch** Avg. Flow Depth=0.82' Max Vel=5.44 fps Inflow=10.05 cfs 167,364 cf  
n=0.033 L=300.0' S=0.0372 '/' Capacity=128.07 cfs Outflow=10.03 cfs 167,364 cf

**Pond 1P: 18" Culvert** Peak Elev=301.25' Inflow=10.03 cfs 167,364 cf  
18.0" Round Culvert n=0.013 L=54.0' S=0.0104 '/' Outflow=10.03 cfs 167,364 cf

**Pond 2P: Flow Splitter** Peak Elev=313.15' Inflow=1.51 cfs 23,968 cf  
Primary=0.01 cfs 995 cf Secondary=1.49 cfs 22,972 cf Outflow=1.51 cfs 23,968 cf

**Pond SWF: Stormwater Facility** Peak Elev=308.72' Storage=5,649 cf Inflow=1.81 cfs 28,709 cf  
Primary=0.04 cfs 5,712 cf Secondary=1.15 cfs 22,997 cf Outflow=1.19 cfs 28,709 cf

**Total Runoff Area = 966,957 sf Runoff Volume = 196,073 cf Average Runoff Depth = 2.43"**  
**60.61% Pervious = 586,059 sf 39.39% Impervious = 380,898 sf**

**4612 POST**

Type IA 24-hr 2 YEAR Rainfall=2.50"

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Time span=0.00-96.00 hrs, dt=0.01 hrs, 9601 points x 3

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment3S: Rourke Subdivision** Runoff Area=95,084 sf 54.20% Impervious Runoff Depth=1.71"  
Tc=5.0 min CN=83/98 Runoff=0.91 cfs 13,584 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=1.36"  
Flow Length=150' Slope=0.0400 '/' Tc=16.6 min CN=83/98 Runoff=0.05 cfs 977 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=1.22"  
Flow Length=200' Tc=14.4 min CN=83/98 Runoff=0.17 cfs 3,190 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=1.70"  
Flow Length=1,280' Tc=16.2 min CN=83/98 Runoff=1.41 cfs 24,364 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=1.45"  
Flow Length=1,028' Tc=16.4 min CN=84/98 Runoff=2.82 cfs 50,414 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=61,002 sf 30.86% Impervious Runoff Depth=1.47"  
Flow Length=1,175' Tc=8.7 min CN=84/98 Runoff=0.47 cfs 7,485 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=1.66"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=0.96 cfs 15,565 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=69,226 sf 48.52% Impervious Runoff Depth=1.62"  
Flow Length=227' Slope=0.0500 '/' Tc=14.8 min CN=82/98 Runoff=0.54 cfs 9,320 cf

**Reach 1R: Existing Ditch** Avg. Flow Depth=0.66' Max Vel=4.63 fps Inflow=6.73 cfs 124,898 cf  
n=0.040 L=80.0' S=0.0480 '/' Capacity=120.02 cfs Outflow=6.72 cfs 124,898 cf

**Reach 2R: Existing Ditch** Avg. Flow Depth=0.60' Max Vel=4.73 fps Inflow=6.20 cfs 106,196 cf  
n=0.033 L=300.0' S=0.0372 '/' Capacity=128.07 cfs Outflow=6.18 cfs 106,196 cf

**Pond 1P: 18" Culvert** Peak Elev=300.39' Inflow=6.18 cfs 106,196 cf  
18.0" Round Culvert n=0.013 L=54.0' S=0.0104 '/' Outflow=6.18 cfs 106,196 cf

**Pond 2P: Flow Splitter** Peak Elev=313.00' Inflow=0.96 cfs 15,565 cf  
Primary=0.01 cfs 951 cf Secondary=0.95 cfs 14,614 cf Outflow=0.96 cfs 15,565 cf

**Pond SWF: Stormwater Facility** Peak Elev=308.15' Storage=4,332 cf Inflow=1.14 cfs 18,702 cf  
Primary=0.03 cfs 5,571 cf Secondary=0.60 cfs 13,132 cf Outflow=0.63 cfs 18,702 cf

**Total Runoff Area = 966,957 sf Runoff Volume = 124,898 cf Average Runoff Depth = 1.55"**  
**60.61% Pervious = 586,059 sf 39.39% Impervious = 380,898 sf**



**4612 POST**

Type IA 24-hr 1/2 2 YEAR Rainfall=1.25"

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Time span=0.00-96.00 hrs, dt=0.01 hrs, 9601 points x 3

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment3S: Rourke Subdivision** Runoff Area=95,084 sf 54.20% Impervious Runoff Depth=0.67"  
Tc=5.0 min CN=83/98 Runoff=0.34 cfs 5,330 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=0.44"  
Flow Length=150' Slope=0.0400 '/' Tc=16.6 min CN=83/98 Runoff=0.01 cfs 318 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=0.35"  
Flow Length=200' Tc=14.4 min CN=83/98 Runoff=0.03 cfs 922 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=0.66"  
Flow Length=1,280' Tc=16.2 min CN=83/98 Runoff=0.52 cfs 9,497 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=0.49"  
Flow Length=1,028' Tc=16.4 min CN=84/98 Runoff=0.81 cfs 17,155 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=61,002 sf 30.86% Impervious Runoff Depth=0.51"  
Flow Length=1,175' Tc=8.7 min CN=84/98 Runoff=0.14 cfs 2,580 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=0.64"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=0.35 cfs 6,019 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=69,226 sf 48.52% Impervious Runoff Depth=0.61"  
Flow Length=227' Slope=0.0500 '/' Tc=14.8 min CN=82/98 Runoff=0.19 cfs 3,546 cf

**Reach 1R: Existing Ditch** Avg. Flow Depth=0.30' Max Vel=3.16 fps Inflow=2.01 cfs 45,368 cf  
n=0.040 L=80.0' S=0.0480 '/' Capacity=120.02 cfs Outflow=2.01 cfs 45,368 cf

**Reach 2R: Existing Ditch** Avg. Flow Depth=0.29' Max Vel=3.28 fps Inflow=1.99 cfs 37,932 cf  
n=0.033 L=300.0' S=0.0372 '/' Capacity=128.07 cfs Outflow=1.98 cfs 37,932 cf

**Pond 1P: 18" Culvert** Peak Elev=299.72' Inflow=1.98 cfs 37,932 cf  
18.0" Round Culvert n=0.013 L=54.0' S=0.0104 '/' Outflow=1.98 cfs 37,932 cf

**Pond 2P: Flow Splitter** Peak Elev=312.79' Inflow=0.35 cfs 6,019 cf  
Primary=0.01 cfs 866 cf Secondary=0.34 cfs 5,154 cf Outflow=0.35 cfs 6,019 cf

**Pond SWF: Stormwater Facility** Peak Elev=307.64' Storage=3,292 cf Inflow=0.39 cfs 7,436 cf  
Primary=0.03 cfs 5,279 cf Secondary=0.06 cfs 2,158 cf Outflow=0.09 cfs 7,436 cf

**Total Runoff Area = 966,957 sf Runoff Volume = 45,368 cf Average Runoff Depth = 0.56"**  
**60.61% Pervious = 586,059 sf 39.39% Impervious = 380,898 sf**

## **Appendix C: Storm Water Quality Calculations**

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## STORMWATER QUALITY CALCULATIONS

Client: Rourke Development  
Project: Rourke Development Subdivision  
AKS Job No.: 4612  
Date: 10/15/2021  
Done By: CRH  
Checked By: PAS

---

### IMPERVIOUS AREA

Total Site Area:	2.18	acres
Total Site Area:	94,752	square feet (sf)
Number of Lots:	12	
Impervious Area Per Lot:	2,877	sf
Total Impervious Lot Area:	34,524	sf
Subdivision ROW Impervious Area:	17,012	sf
<b>Subtotal Subdivision Impervious Area:</b>	<b>51,536</b>	<b>sf</b>
College Street Impervious Area (ODOT ROW):	6,566	sf
<b>Total Impervious Area:</b>	<b>58,102</b>	<b>sf</b>

---

### WATER QUALITY VOLUME (WQV)

(Per CON 4.8.5)

WQV (Subdivision) =	1.0 inch storm over 24 hrs	=	<b>4295 cubic feet</b>
WQV (ODOT ROW) =	1.25 inch storm over 24 hrs	=	<b>684 cubic feet</b>
<hr/>			
<b>Total WQV</b>		<b>=</b>	<b>4979 cubic feet</b>

---

### WATER QUALITY FLOW (WQF)

(Per CON Detail 461)

$$WQF = \frac{WQV \text{ (cf)}}{48*60*60} = \mathbf{0.029 \text{ cfs}}$$

---

## EXTENDED DRY BASIN DESIGN & CALCULATIONS

### Hydraulic Design Criteria (Per CON Design Standards Section 4.8 & Detail 461)

- Permanent Pool Depth: 0.4 ft
- Permanent Pool covers bottom of basin
- Design Detention Volume: 1.0 x Water Quality Volume (WQV)
- Water Quality Drawdown Time: 48 hours
- Maximum Depth of WQ Pool: 4 ft
- Avoid direct flow across WQ pond to avoid short circuiting

### Extended Dry Basin Sizing Design:

Bottom Slope (ft/ft)	Minimum Bottom Width (ft)	Side Slopes H:V	Top of Pond Elev. (ft)	Perm. Pool Depth (ft)	Pool Bottom Area (sf)	Bottom of Pool Elev. (ft)
0.0	5	3.0	310	0.4	668	305.0

### Water Quality Flow Hydraulic Calculations:

Q (cfs)	Pool Elev. at WQV (ft)	Orifice CL Height (ft)	Calculated Orifice Diameter (in)	Max. Pool Elev., 25-yr Event (ft)	Calculated Pond WQV (cubic feet)	Calculated WQV Pool Depth (ft)
0.029	307.5	304.5	0.87	308.8	5118	2.5

### Check Against Design Criteria:

	Calculated	Meet CON Criteria?
Minimum Freeboard:	1.2 feet	<b>Yes</b> more than 1 foot
Minimum Bottom Width:	5 feet	<b>Yes</b> greater than 4 feet
Maximum Pool Depth at WQV:	2.5 feet	<b>Yes</b> less than 4 feet
Detained Water Quality Volume:	5118 cubic feet	<b>Yes</b> greater than or equal to 4979 cf

**4612 POST**

Type IA 24-hr WQ Rainfall=1.00"

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Time span=0.00-96.00 hrs, dt=0.01 hrs, 9601 points x 3

Runoff by SBUH method, Split Pervious/Imperv.

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

**Subcatchment3S: Rourke Subdivision** Runoff Area=95,084 sf 54.20% Impervious Runoff Depth=0.49"  
Tc=5.0 min CN=83/98 Runoff=0.24 cfs 3,876 cf

**Subcatchment10X: Ex. Church South** Runoff Area=8,618 sf 25.11% Impervious Runoff Depth=0.30"  
Flow Length=150' Slope=0.0400 '/' Tc=16.6 min CN=83/98 Runoff=0.01 cfs 214 cf

**Subcatchment20X: Ex. Church Mid** Runoff Area=31,279 sf 13.83% Impervious Runoff Depth=0.22"  
Flow Length=200' Tc=14.4 min CN=83/98 Runoff=0.02 cfs 582 cf

**Subcatchment30X: Ex. Church North** Runoff Area=172,262 sf 52.79% Impervious Runoff Depth=0.48"  
Flow Length=1,280' Tc=16.2 min CN=83/98 Runoff=0.37 cfs 6,889 cf

**Subcatchment40X: Ex. Veritas** Runoff Area=416,660 sf 29.10% Impervious Runoff Depth=0.34"  
Flow Length=1,028' Tc=16.4 min CN=84/98 Runoff=0.52 cfs 11,728 cf

**Subcatchment50X: Ex. College St. East** Runoff Area=61,002 sf 30.86% Impervious Runoff Depth=0.35"  
Flow Length=1,175' Tc=8.7 min CN=84/98 Runoff=0.09 cfs 1,775 cf

**Subcatchment60X: Ex. College St. West** Runoff Area=112,826 sf 51.66% Impervious Runoff Depth=0.46"  
Flow Length=1,135' Slope=0.0500 '/' Tc=11.4 min CN=82/98 Runoff=0.26 cfs 4,360 cf

**Subcatchment70X: Ex. College St. South** Runoff Area=69,226 sf 48.52% Impervious Runoff Depth=0.44"  
Flow Length=227' Slope=0.0500 '/' Tc=14.8 min CN=82/98 Runoff=0.14 cfs 2,553 cf

**Reach 1R: Existing Ditch** Avg. Flow Depth=0.24' Max Vel=2.77 fps Inflow=1.38 cfs 31,977 cf  
n=0.040 L=80.0' S=0.0480 '/' Capacity=120.02 cfs Outflow=1.38 cfs 31,977 cf

**Reach 2R: Existing Ditch** Avg. Flow Depth=0.23' Max Vel=2.88 fps Inflow=1.36 cfs 26,470 cf  
n=0.033 L=300.0' S=0.0372 '/' Capacity=128.07 cfs Outflow=1.36 cfs 26,470 cf

**Pond 1P: 18" Culvert** Peak Elev=299.60' Inflow=1.36 cfs 26,470 cf  
18.0" Round Culvert n=0.013 L=54.0' S=0.0104 '/' Outflow=1.36 cfs 26,470 cf

**Pond 2P: Flow Splitter** Peak Elev=312.74' Inflow=0.26 cfs 4,360 cf  
Primary=0.01 cfs 835 cf Secondary=0.24 cfs 3,525 cf Outflow=0.26 cfs 4,360 cf

**Pond SWF: Stormwater Facility** Peak Elev=307.59' Storage=3,188 cf Inflow=0.28 cfs 5,507 cf  
Primary=0.03 cfs 5,118 cf Secondary=0.02 cfs 389 cf Outflow=0.05 cfs 5,507 cf

**Total Runoff Area = 966,957 sf Runoff Volume = 31,977 cf Average Runoff Depth = 0.40"**  
**60.61% Pervious = 586,059 sf 39.39% Impervious = 380,898 sf**

### Summary for Pond 2P: Flow Splitter

Inflow Area = 112,826 sf, 51.66% Impervious, Inflow Depth = 0.46" for WQ event  
 Inflow = 0.26 cfs @ 8.00 hrs, Volume= 4,360 cf  
 Outflow = 0.26 cfs @ 8.00 hrs, Volume= 4,360 cf, Atten= 0%, Lag= 0.0 min  
 Primary = 0.01 cfs @ 8.00 hrs, Volume= 835 cf  
 Secondary = 0.24 cfs @ 8.00 hrs, Volume= 3,525 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.01 hrs / 3  
 Peak Elev= 312.74' @ 8.00 hrs  
 Flood Elev= 314.00'

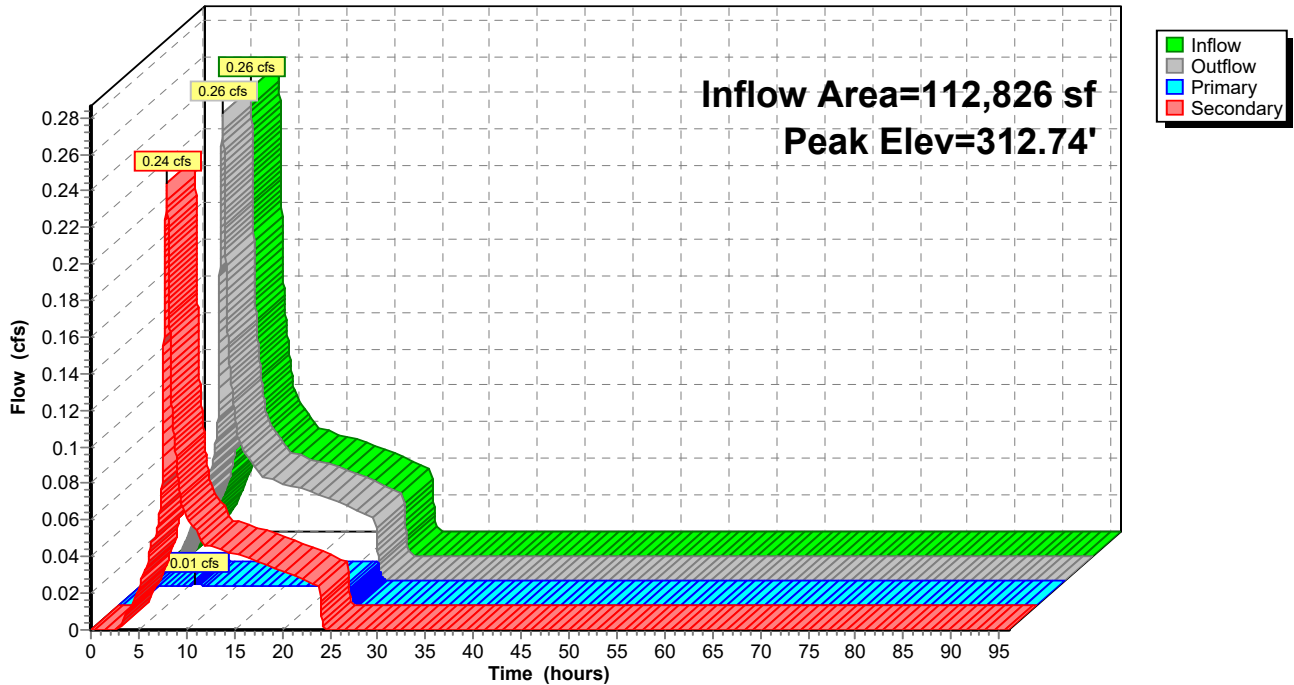
Device	Routing	Invert	Outlet Devices
#1	Primary	311.90'	<b>0.7" Vert. Orifice</b> C= 0.600
#2	Secondary	312.50'	<b>12.0" Round Culvert</b> L= 65.0' Ke= 0.500 Inlet / Outlet Invert= 312.50' / 307.23' S= 0.0811 '/' Cc= 0.900 n= 0.013 Concrete pipe, straight & clean, Flow Area= 0.79 sf

**Primary OutFlow** Max=0.01 cfs @ 8.00 hrs HW=312.74' TW=306.13' (Dynamic Tailwater)  
 ↳1=Orifice (Orifice Controls 0.01 cfs @ 4.34 fps)

**Secondary OutFlow** Max=0.24 cfs @ 8.00 hrs HW=312.74' TW=310.46' (Dynamic Tailwater)  
 ↳2=Culvert (Inlet Controls 0.24 cfs @ 1.67 fps)

### Pond 2P: Flow Splitter

Hydrograph



**Summary for Pond SWF: Stormwater Facility**

Inflow Area = 247,807 sf, 46.94% Impervious, Inflow Depth = 0.27" for WQ event  
 Inflow = 0.28 cfs @ 7.91 hrs, Volume= 5,507 cf  
 Outflow = 0.05 cfs @ 21.88 hrs, Volume= 5,507 cf, Atten= 81%, Lag= 837.7 min  
 Primary = 0.03 cfs @ 21.88 hrs, Volume= 5,118 cf  
 Secondary = 0.02 cfs @ 21.88 hrs, Volume= 389 cf

Routing by Dyn-Stor-Ind method, Time Span= 0.00-96.00 hrs, dt= 0.01 hrs / 3  
 Peak Elev= 307.59' @ 21.88 hrs Surf.Area= 1,867 sf Storage= 3,188 cf  
 Flood Elev= 309.00' Surf.Area= 2,684 sf Storage= 6,388 cf

Plug-Flow detention time= 1,046.6 min calculated for 5,507 cf (100% of inflow)  
 Center-of-Mass det. time= 1,046.5 min ( 1,815.4 - 768.9 )

Volume	Invert	Avail.Storage	Storage Description
#1	305.00'	9,397 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
305.00	669	0	0
306.00	1,073	871	871
307.00	1,550	1,312	2,183
308.00	2,088	1,819	4,002
309.00	2,684	2,386	6,388
310.00	3,335	3,010	9,397

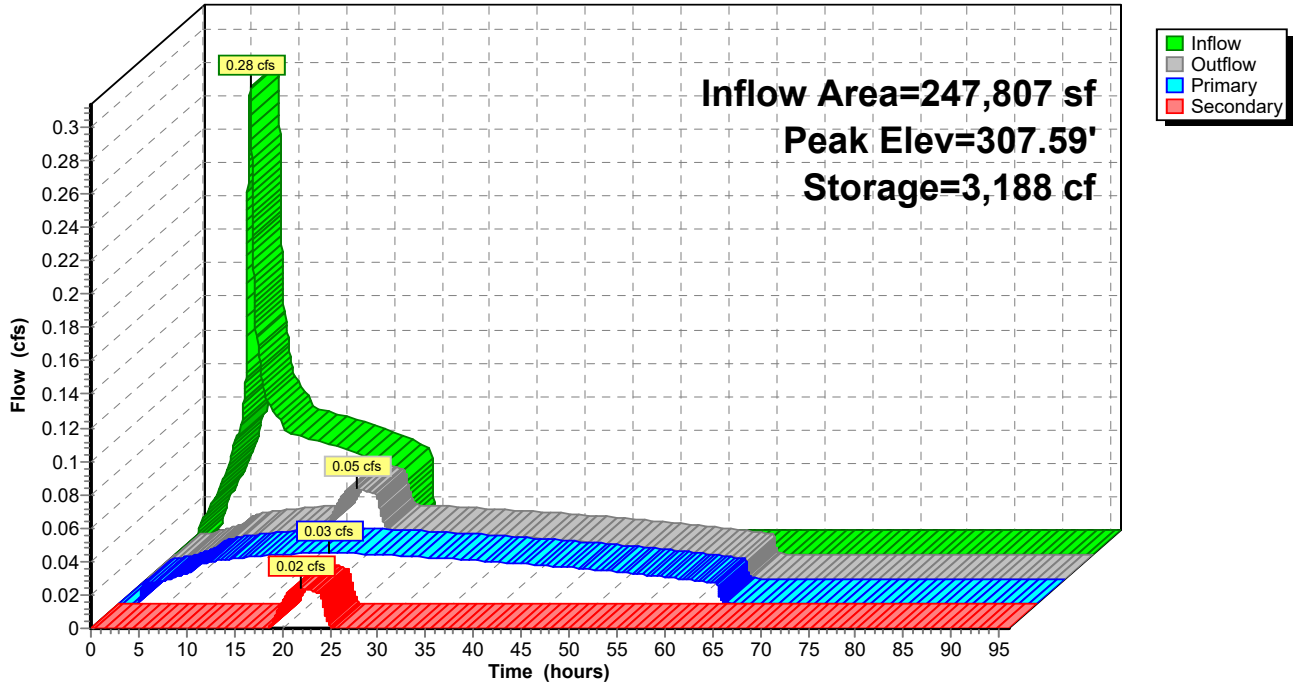
Device	Routing	Invert	Outlet Devices
#1	Secondary	308.60'	<b>2.0' long (Profile 17) Broad-Crested Rectangular Weir</b> Head (feet) 0.49 0.98 1.48 1.97 2.46 2.95 Coef. (English) 2.84 3.13 3.26 3.30 3.31 3.31
#2	Secondary	307.50'	<b>6.0" Vert. DET Orifice</b> C= 0.600
#3	Device 4	305.00'	<b>2.0' long (Profile 17) Broad-Crested Rectangular Weir</b> Head (feet) 0.49 0.98 1.48 1.97 2.46 2.95 Coef. (English) 2.84 3.13 3.26 3.30 3.31 3.31
#4	Device 5	304.50'	<b>0.8" Vert. WQ Orifice</b> C= 0.620
#5	Primary	303.50'	<b>12.0" Round Round Culvert</b> L= 60.0' CPP, square edge headwall, Ke= 0.500 Inlet / Outlet Invert= 303.50' / 298.31' S= 0.0865 '/' Cc= 0.900 n= 0.013 Concrete pipe, straight & clean, Flow Area= 0.79 sf

**Primary OutFlow** Max=0.03 cfs @ 21.88 hrs HW=307.59' TW=298.38' (Dynamic Tailwater)  
 ↳ **5=Round Culvert** (Passes 0.03 cfs of 7.16 cfs potential flow)  
 ↳ ↳ **4=WQ Orifice** (Orifice Controls 0.03 cfs @ 8.70 fps)  
 ↳ ↳ ↳ **3=Broad-Crested Rectangular Weir**(Passes 0.03 cfs of 27.57 cfs potential flow)

**Secondary OutFlow** Max=0.02 cfs @ 21.88 hrs HW=307.59' TW=298.38' (Dynamic Tailwater)  
 ↳ **1=Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)  
 ↳ ↳ **2=DET Orifice** (Orifice Controls 0.02 cfs @ 1.01 fps)

### Pond SWF: Stormwater Facility

Hydrograph





## **Appendix D: USDA-NRCS Soil Resource Report**

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United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for Yamhill County, Oregon



# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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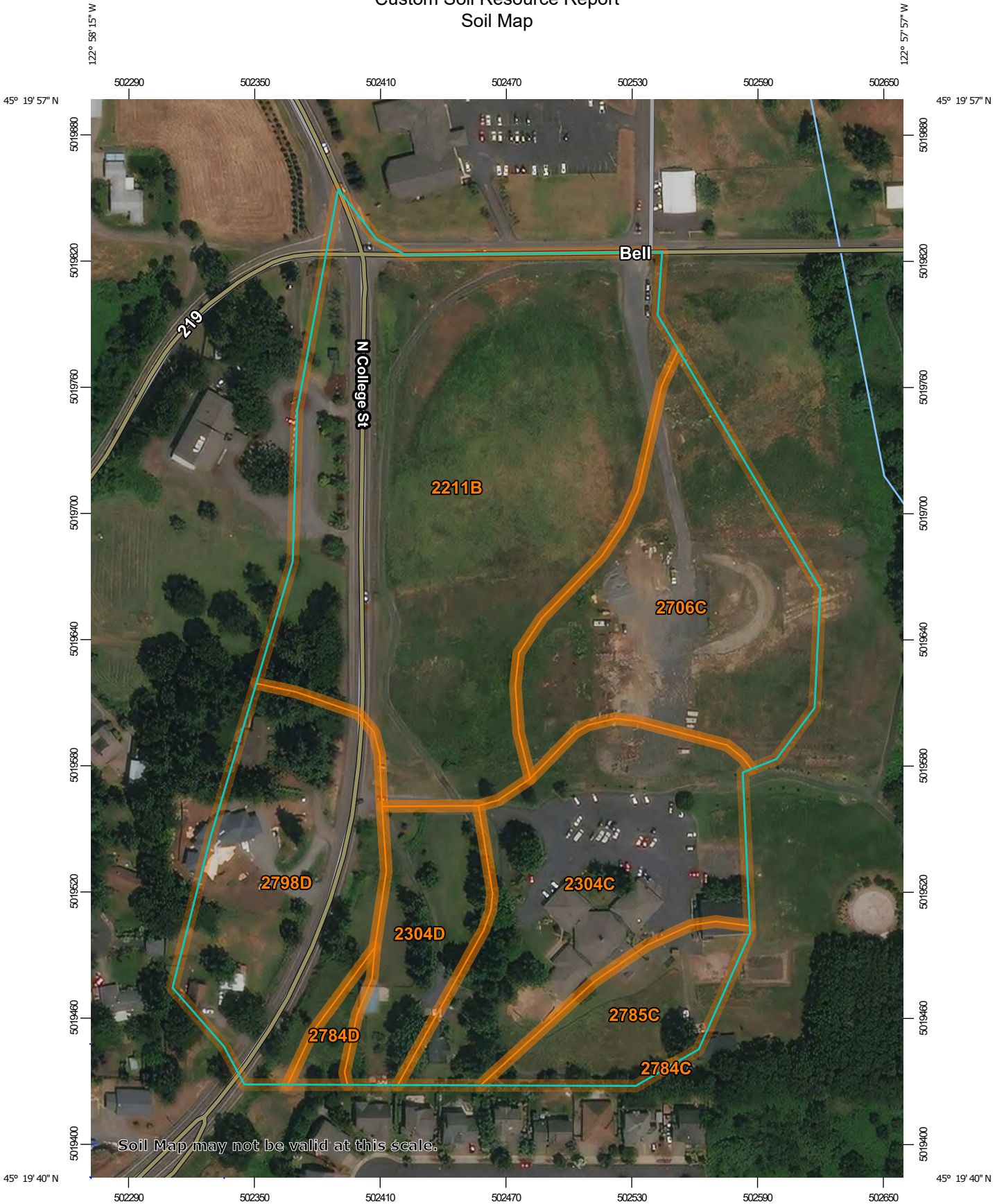
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# Soil Map

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The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

# Custom Soil Resource Report Soil Map




Map Scale: 1:2,500 if printed on A portrait (8.5" x 11") sheet.




Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)




















**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Yamhill County, Oregon  
 Survey Area Data: Version 9, Sep 8, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 19, 2015—Sep 13, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2211B	Cove silty clay loam, 3 to 8 percent slopes	9.0	39.3%
2304C	Carlton silt loam, 2 to 12 percent slopes	3.8	16.5%
2304D	Carlton silt loam, 12 to 20 percent slopes	1.4	6.2%
2706C	Hazelair silty clay loam, 2 to 12 percent slopes	4.0	17.3%
2784C	Witzel-Ritner complex, 2 to 12 percent slopes, stony	0.0	0.0%
2784D	Witzel-Ritner complex, 12 to 20 percent slopes, stony	0.2	1.1%
2785C	Saum-Parrett complex, 2 to 12 percent slopes	1.3	5.5%
2798D	Witham silty clay loam, hummocky, 2 to 25 percent slopes	3.3	14.2%
<b>Totals for Area of Interest</b>		<b>23.0</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas

## Custom Soil Resource Report

are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Yamhill County, Oregon

### 2211B—Cove silty clay loam, 3 to 8 percent slopes

#### Map Unit Setting

*National map unit symbol:* 21yjp

*Elevation:* 120 to 500 feet

*Mean annual precipitation:* 40 to 60 inches

*Mean annual air temperature:* 50 to 54 degrees F

*Frost-free period:* 165 to 210 days

*Farmland classification:* Farmland of statewide importance

#### Map Unit Composition

*Cove and similar soils:* 89 percent

*Minor components:* 11 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Cove

##### Setting

*Landform:* Terraces, alluvial fans

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Linear

*Across-slope shape:* Concave, linear

*Parent material:* Clayey alluvium

##### Typical profile

*A1 - 0 to 8 inches:* silty clay loam

*A2 - 8 to 13 inches:* silty clay

*AB - 13 to 18 inches:* clay

*Bg - 18 to 40 inches:* clay

*Cg - 40 to 60 inches:* clay

##### Properties and qualities

*Slope:* 3 to 8 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)

*Depth to water table:* About 0 to 8 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water supply, 0 to 60 inches:* High (about 10.1 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 3e

*Land capability classification (nonirrigated):* 3w

*Hydrologic Soil Group:* D

*Ecological site:* R002XC005OR - High Floodplain Group

*Hydric soil rating:* Yes

#### Minor Components

##### Chehalem, volcanic

*Percent of map unit:* 5 percent

*Landform:* Alluvial fans

## Custom Soil Resource Report

*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

### **Cove, flooded**

*Percent of map unit:* 3 percent  
*Landform:* Flood plains  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Concave, linear  
*Across-slope shape:* Concave  
*Hydric soil rating:* Yes

### **Waldo**

*Percent of map unit:* 2 percent  
*Landform:* Flood plains  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Concave, linear  
*Other vegetative classification:* Poorly Drained (G002XY006OR)  
*Hydric soil rating:* Yes

### **Abiqua**

*Percent of map unit:* 1 percent  
*Landform:* Alluvial fans  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Other vegetative classification:* Well drained < 15% Slopes (G002XY002OR)  
*Hydric soil rating:* No

## **2304C—Carlton silt loam, 2 to 12 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 20b3l  
*Elevation:* 140 to 380 feet  
*Mean annual precipitation:* 40 to 55 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* Farmland of statewide importance

### **Map Unit Composition**

*Carlton and similar soils:* 93 percent  
*Minor components:* 7 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Carlton**

#### **Setting**

*Landform:* Hillslopes  
*Landform position (two-dimensional):* Toeslope

## Custom Soil Resource Report

*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Concave, linear  
*Parent material:* Silty glaciolacustrine deposits over loamy and clayey colluvium derived from sedimentary rock

### Typical profile

*Ap - 0 to 8 inches:* silt loam  
*A2 - 8 to 12 inches:* silt loam  
*BA - 12 to 22 inches:* silt loam  
*Bw1 - 22 to 31 inches:* silty clay loam  
*Bw2 - 31 to 42 inches:* silty clay loam  
*2BC - 42 to 60 inches:* silty clay

### Properties and qualities

*Slope:* 2 to 12 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.57 in/hr)  
*Depth to water table:* About 22 to 31 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* High (about 11.4 inches)

### Interpretive groups

*Land capability classification (irrigated):* 4e  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* C/D  
*Ecological site:* R002XC011OR - Low Hill Group  
*Hydric soil rating:* No

### Minor Components

#### **Chehalem, sedimentary**

*Percent of map unit:* 3 percent  
*Landform:* Alluvial fans  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

#### **Hazelair**

*Percent of map unit:* 2 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex, linear  
*Other vegetative classification:* Somewhat Poorly Drained (G002XY005OR)  
*Hydric soil rating:* No

#### **Pengra**

*Percent of map unit:* 2 percent  
*Landform:* Fan aprons  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Base slope

## Custom Soil Resource Report

*Down-slope shape:* Linear  
*Across-slope shape:* Convex, linear  
*Other vegetative classification:* Somewhat Poorly Drained (G002XY005OR)  
*Hydric soil rating:* Yes

### 2304D—Carlton silt loam, 12 to 20 percent slopes

#### Map Unit Setting

*National map unit symbol:* 20b3m  
*Elevation:* 140 to 380 feet  
*Mean annual precipitation:* 40 to 55 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* Farmland of statewide importance

#### Map Unit Composition

*Carlton and similar soils:* 93 percent  
*Minor components:* 7 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Carlton

##### Setting

*Landform:* Hillslopes  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Concave, linear  
*Across-slope shape:* Linear, convex  
*Parent material:* Silty glaciolacustrine deposits over loamy and clayey colluvium derived from sedimentary rock

##### Typical profile

*Ap - 0 to 8 inches:* silt loam  
*A2 - 8 to 12 inches:* silt loam  
*BA - 12 to 22 inches:* silt loam  
*Bw1 - 22 to 31 inches:* silty clay loam  
*Bw2 - 31 to 42 inches:* silty clay loam  
*2BC - 42 to 60 inches:* silty clay

##### Properties and qualities

*Slope:* 12 to 20 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.57 in/hr)  
*Depth to water table:* About 22 to 31 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* High (about 11.4 inches)

**Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* C/D  
*Ecological site:* R002XC011OR - Low Hill Group  
*Hydric soil rating:* No

**Minor Components**

**Chehalem, sedimentary**

*Percent of map unit:* 3 percent  
*Landform:* Alluvial fans  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Concave, linear  
*Hydric soil rating:* No

**Pengra**

*Percent of map unit:* 2 percent  
*Landform:* Fan aprons  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex, linear  
*Other vegetative classification:* Somewhat Poorly Drained (G002XY005OR)  
*Hydric soil rating:* Yes

**Hazelair**

*Percent of map unit:* 2 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex, linear  
*Other vegetative classification:* Somewhat Poorly Drained (G002XY005OR)  
*Hydric soil rating:* No

**2706C—Hazelair silty clay loam, 2 to 12 percent slopes**

**Map Unit Setting**

*National map unit symbol:* 1j8bg  
*Elevation:* 200 to 400 feet  
*Mean annual precipitation:* 40 to 60 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* Farmland of statewide importance

**Map Unit Composition**

*Hazelair and similar soils:* 81 percent  
*Minor components:* 19 percent

## Custom Soil Resource Report

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Hazelair

#### Setting

*Landform:* Hillslopes

*Landform position (two-dimensional):* Summit, toeslope

*Landform position (three-dimensional):* Base slope, interfluvium

*Down-slope shape:* Linear

*Across-slope shape:* Linear, convex

*Parent material:* Silty glaciolacustrine deposits and colluvium over clayey residuum derived from sandstone and siltstone

#### Typical profile

*Ap - 0 to 7 inches:* silty clay loam

*A - 7 to 11 inches:* silty clay loam

*Bw - 11 to 18 inches:* silty clay

*2Bg - 18 to 24 inches:* clay

*2C - 24 to 30 inches:* clay

*2Cr - 30 to 40 inches:* weathered bedrock

#### Properties and qualities

*Slope:* 2 to 12 percent

*Depth to restrictive feature:* 20 to 39 inches to paralithic bedrock

*Drainage class:* Somewhat poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.06 in/hr)

*Depth to water table:* About 11 to 18 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water supply, 0 to 60 inches:* Low (about 5.4 inches)

#### Interpretive groups

*Land capability classification (irrigated):* 4e

*Land capability classification (nonirrigated):* 4e

*Hydrologic Soil Group:* D

*Ecological site:* R002XC010OR - Claypan Low Hill Group

*Forage suitability group:* Somewhat Poorly Drained (G002XY005OR)

*Other vegetative classification:* Somewhat Poorly Drained (G002XY005OR)

*Hydric soil rating:* No

### Minor Components

#### Helmick

*Percent of map unit:* 10 percent

*Landform:* Hillslopes

*Landform position (two-dimensional):* Summit, toeslope

*Landform position (three-dimensional):* Interfluvium, base slope

*Down-slope shape:* Linear

*Across-slope shape:* Concave, linear

*Other vegetative classification:* Somewhat Poorly Drained (G002XY005OR)

*Hydric soil rating:* No

#### Goodin

*Percent of map unit:* 3 percent

*Landform:* Hillslopes

*Landform position (two-dimensional):* Summit, toeslope



## Custom Soil Resource Report

*Landform position (three-dimensional):* Base slope, interfluve  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Linear, convex  
*Hydric soil rating:* No

### **Chehulpum**

*Percent of map unit:* 3 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit, toeslope  
*Landform position (three-dimensional):* Interfluve, base slope  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Convex  
*Other vegetative classification:* Well drained < 15% Slopes (G002XY002OR)  
*Hydric soil rating:* No

### **Melbourne**

*Percent of map unit:* 2 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit, toeslope  
*Landform position (three-dimensional):* Base slope, interfluve  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

### **Panther, hummocky**

*Percent of map unit:* 1 percent  
*Landform:* Earthflows  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Concave, linear  
*Across-slope shape:* Concave  
*Hydric soil rating:* Yes

## **2784C—Witzel-Ritner complex, 2 to 12 percent slopes, stony**

### **Map Unit Setting**

*National map unit symbol:* 1j8d9  
*Elevation:* 220 to 1,160 feet  
*Mean annual precipitation:* 40 to 50 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Witzel, stony, and similar soils:* 74 percent  
*Ritner, stony, and similar soils:* 20 percent  
*Minor components:* 6 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

## Description of Witzel, Stony

### Setting

*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Interfluve  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Gravelly colluvium derived from basalt

### Typical profile

*A - 0 to 7 inches:* very gravelly silt loam  
*Bw - 7 to 16 inches:* extremely cobbly loam  
*R - 16 to 20 inches:* unweathered bedrock

### Properties and qualities

*Slope:* 2 to 12 percent  
*Surface area covered with cobbles, stones or boulders:* 0.1 percent  
*Depth to restrictive feature:* 12 to 20 inches to lithic bedrock  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.20 to 1.98 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* Very low (about 1.2 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 6s  
*Hydrologic Soil Group:* D  
*Ecological site:* R002XC009OR - Bald Group  
*Hydric soil rating:* No

## Description of Ritner, Stony

### Setting

*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Interfluve  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Linear  
*Parent material:* Cobbly and gravelly colluvium derived from basalt

### Typical profile

*Oi - 0 to 1 inches:* slightly decomposed plant material  
*A1 - 1 to 4 inches:* gravelly silty clay loam  
*A2 - 4 to 11 inches:* cobbly silty clay loam  
*Bw - 11 to 30 inches:* extremely stony silty clay  
*R - 30 to 34 inches:* unweathered bedrock

### Properties and qualities

*Slope:* 2 to 12 percent  
*Surface area covered with cobbles, stones or boulders:* 0.1 percent  
*Depth to restrictive feature:* 20 to 39 inches to lithic bedrock  
*Drainage class:* Well drained

## Custom Soil Resource Report

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.20 to 1.98 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water supply, 0 to 60 inches:* Very low (about 2.9 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 4s

*Hydrologic Soil Group:* C

*Ecological site:* F002XC013OR - Foothill Group

*Hydric soil rating:* No

### **Minor Components**

#### **Macdunn**

*Percent of map unit:* 2 percent

*Landform:* Hillslopes

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Hydric soil rating:* No

#### **Parrett**

*Percent of map unit:* 2 percent

*Landform:* Hillslopes

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Hydric soil rating:* No

#### **Rock outcrop, basalt**

*Percent of map unit:* 1 percent

*Landform:* Hillslopes

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Hydric soil rating:* No

#### **Saum**

*Percent of map unit:* 1 percent

*Landform:* Hillslopes

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Hydric soil rating:* No

## 2784D—Witzel-Ritner complex, 12 to 20 percent slopes, stony

### Map Unit Setting

*National map unit symbol:* 1j8db  
*Elevation:* 200 to 910 feet  
*Mean annual precipitation:* 40 to 50 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Witzel, stony, and similar soils:* 68 percent  
*Ritner, stony, and similar soils:* 15 percent  
*Minor components:* 17 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Witzel, Stony

#### Setting

*Landform:* Hillslopes  
*Landform position (two-dimensional):* Shoulder, backslope  
*Landform position (three-dimensional):* Nose slope, side slope  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Gravelly colluvium derived from basalt

#### Typical profile

*A - 0 to 7 inches:* very gravelly silt loam  
*Bw - 7 to 16 inches:* extremely cobbly loam  
*R - 16 to 20 inches:* unweathered bedrock

#### Properties and qualities

*Slope:* 12 to 20 percent  
*Surface area covered with cobbles, stones or boulders:* 0.1 percent  
*Depth to restrictive feature:* 12 to 20 inches to lithic bedrock  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.20 to 1.98 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* Very low (about 1.2 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 6s  
*Hydrologic Soil Group:* D  
*Ecological site:* R002XC009OR - Bald Group  
*Hydric soil rating:* No

## Description of Ritner, Stony

### Setting

*Landform:* Hillslopes

*Landform position (two-dimensional):* Shoulder, backslope

*Landform position (three-dimensional):* Nose slope, side slope

*Down-slope shape:* Convex, linear

*Across-slope shape:* Linear, convex

*Parent material:* Cobbly and gravelly colluvium derived from basalt

### Typical profile

*O<sub>i</sub> - 0 to 1 inches:* slightly decomposed plant material

*A<sub>1</sub> - 1 to 4 inches:* gravelly silty clay loam

*A<sub>2</sub> - 4 to 11 inches:* cobbly silty clay loam

*B<sub>w</sub> - 11 to 30 inches:* extremely stony silty clay

*R - 30 to 34 inches:* unweathered bedrock

### Properties and qualities

*Slope:* 12 to 20 percent

*Surface area covered with cobbles, stones or boulders:* 0.1 percent

*Depth to restrictive feature:* 20 to 39 inches to lithic bedrock

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water (K<sub>sat</sub>):* Moderately high to high  
(0.20 to 1.98 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water supply, 0 to 60 inches:* Very low (about 2.9 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 4s

*Hydrologic Soil Group:* C

*Ecological site:* F002XC013OR - Foothill Group

*Hydric soil rating:* No

## Minor Components

### Parrett

*Percent of map unit:* 10 percent

*Landform:* Hillslopes

*Landform position (two-dimensional):* Shoulder, backslope

*Landform position (three-dimensional):* Nose slope, side slope

*Down-slope shape:* Convex, linear

*Across-slope shape:* Linear, convex

*Hydric soil rating:* No

### Macdunn

*Percent of map unit:* 5 percent

*Landform:* Hillslopes

*Landform position (two-dimensional):* Shoulder, backslope

*Landform position (three-dimensional):* Side slope, nose slope

*Down-slope shape:* Convex, linear

*Across-slope shape:* Linear

*Hydric soil rating:* No

**Saum**

*Percent of map unit:* 1 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

**Rock outcrop, basalt**

*Percent of map unit:* 1 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Shoulder, backslope  
*Landform position (three-dimensional):* Nose slope  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

**2785C—Saum-Parrett complex, 2 to 12 percent slopes**

**Map Unit Setting**

*National map unit symbol:* 1j8df  
*Elevation:* 280 to 1,230 feet  
*Mean annual precipitation:* 40 to 60 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* Farmland of statewide importance

**Map Unit Composition**

*Saum and similar soils:* 56 percent  
*Parrett and similar soils:* 36 percent  
*Minor components:* 8 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Saum**

**Setting**

*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit, toeslope  
*Landform position (three-dimensional):* Interfluve, base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Concave, linear  
*Parent material:* Loamy colluvium derived from basalt over clayey residuum weathered from basalt

**Typical profile**

*Ap - 0 to 7 inches:* silt loam  
*A - 7 to 13 inches:* silt loam  
*BA - 13 to 22 inches:* silt loam

## Custom Soil Resource Report

*Bw - 22 to 35 inches:* silty clay loam  
*2Bt - 35 to 50 inches:* silty clay  
*2BCt - 50 to 68 inches:* clay

### Properties and qualities

*Slope:* 2 to 12 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.57 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* High (about 11.0 inches)

### Interpretive groups

*Land capability classification (irrigated):* 4e  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* C  
*Ecological site:* F002XB006OR - Foothill Group  
*Hydric soil rating:* No

## Description of Parrett

### Setting

*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit, toeslope  
*Landform position (three-dimensional):* Interfluve, base slope  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Linear, convex  
*Parent material:* Loamy and clayey colluvium derived from basalt

### Typical profile

*A - 0 to 7 inches:* silty clay loam  
*BA - 7 to 17 inches:* silty clay loam  
*Bt - 17 to 27 inches:* silty clay loam  
*Cr - 27 to 37 inches:* weathered bedrock

### Properties and qualities

*Slope:* 2 to 12 percent  
*Depth to restrictive feature:* 20 to 39 inches to paralithic bedrock  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high (0.20 to 0.57 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water supply, 0 to 60 inches:* Low (about 4.5 inches)

### Interpretive groups

*Land capability classification (irrigated):* 4e  
*Land capability classification (nonirrigated):* 4s  
*Hydrologic Soil Group:* C  
*Ecological site:* F002XB006OR - Foothill Group  
*Hydric soil rating:* No

**Minor Components**

**Macdunn**

*Percent of map unit:* 3 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit, toeslope  
*Landform position (three-dimensional):* Base slope, interfluve  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

**Cottrell**

*Percent of map unit:* 2 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Concave  
*Hydric soil rating:* No

**Ritner**

*Percent of map unit:* 2 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit, toeslope  
*Landform position (three-dimensional):* Interfluve, base slope  
*Down-slope shape:* Convex  
*Across-slope shape:* Linear, convex  
*Hydric soil rating:* No

**Witzel**

*Percent of map unit:* 1 percent  
*Landform:* Hillslopes  
*Landform position (two-dimensional):* Summit, toeslope  
*Landform position (three-dimensional):* Interfluve, base slope  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

**2798D—Witham silty clay loam, hummocky, 2 to 25 percent slopes**

**Map Unit Setting**

*National map unit symbol:* 1vkrf  
*Elevation:* 210 to 1,170 feet  
*Mean annual precipitation:* 40 to 60 inches  
*Mean annual air temperature:* 50 to 54 degrees F  
*Frost-free period:* 165 to 210 days  
*Farmland classification:* Farmland of statewide importance



**Map Unit Composition**

*Witham, hummocky, and similar soils: 75 percent*

*Minor components: 25 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Witham, Hummocky**

**Setting**

*Landform: Earthflows*

*Landform position (two-dimensional): Footslope*

*Landform position (three-dimensional): Base slope*

*Down-slope shape: Linear*

*Across-slope shape: Convex, linear*

*Parent material: Loamy earthflow deposits derived from volcanic and sedimentary rock over clayey earthflow deposits derived from sandstone and siltstone*

**Typical profile**

*A - 0 to 11 inches: silty clay loam*

*2Bss1 - 11 to 31 inches: clay*

*2Bssg2 - 31 to 43 inches: clay*

*2C - 43 to 61 inches: paragravelly silty clay*

**Properties and qualities**

*Slope: 2 to 25 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Somewhat poorly drained*

*Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)*

*Depth to water table: About 10 to 20 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Available water supply, 0 to 60 inches: High (about 9.7 inches)*

**Interpretive groups**

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 4e*

*Hydrologic Soil Group: D*

*Ecological site: R002XC010OR - Claypan Low Hill Group*

*Hydric soil rating: No*

**Minor Components**

**Panther, hummocky**

*Percent of map unit: 10 percent*

*Landform: Earthflows*

*Landform position (two-dimensional): Footslope*

*Landform position (three-dimensional): Base slope*

*Down-slope shape: Concave, linear*

*Across-slope shape: Concave*

*Hydric soil rating: Yes*

**Melbourne**

*Percent of map unit: 5 percent*

*Landform: Earthflows*

*Landform position (two-dimensional): Footslope*

*Landform position (three-dimensional): Base slope*

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*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

### **Gellatly**

*Percent of map unit:* 5 percent  
*Landform:* Earthflows  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

### **Saum**

*Percent of map unit:* 5 percent  
*Landform:* Earthflows  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

# Soil Information for All Uses

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## Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each property or quality.

## Soil Qualities and Features

Soil qualities are behavior and performance attributes that are not directly measured, but are inferred from observations of dynamic conditions and from soil properties. Example soil qualities include natural drainage, and frost action. Soil features are attributes that are not directly part of the soil. Example soil features include slope and depth to restrictive layer. These features can greatly impact the use and management of the soil.

## Hydrologic Soil Group

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

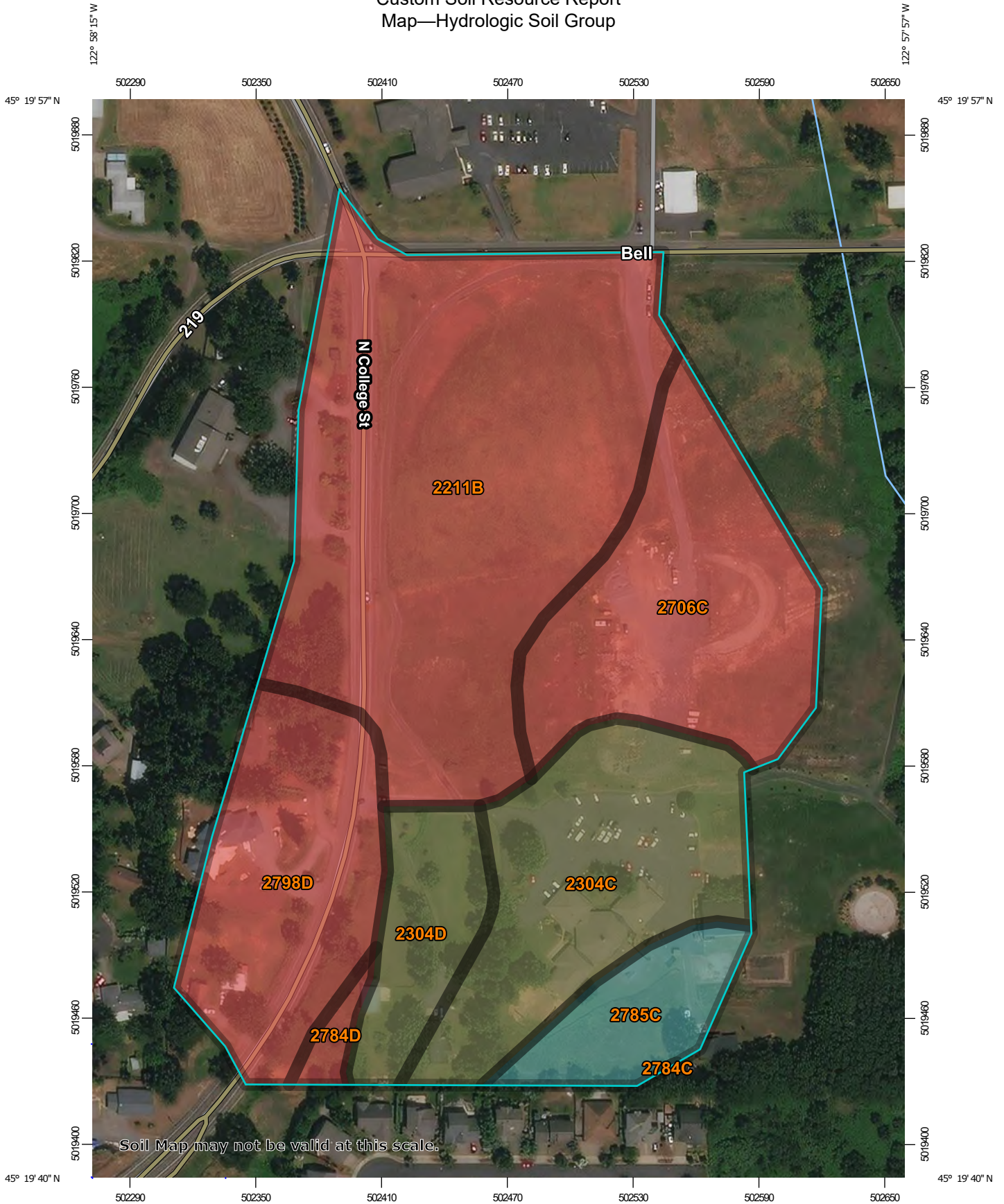
## Custom Soil Resource Report

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

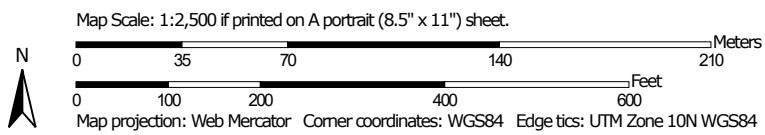
Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

# Custom Soil Resource Report Map—Hydrologic Soil Group




Soil Map may not be valid at this scale.



### MAP LEGEND

**Area of Interest (AOI)**









 Area of Interest (AOI)

**Soils**

**Soil Rating Polygons**





-  A
-  A/D
-  B
-  B/D
-  C
-  C/D
-  D
-  Not rated or not available

**Soil Rating Lines**


-  A
-  A/D
-  B
-  B/D
-  C
-  C/D
-  D
-  Not rated or not available

**Soil Rating Points**






-  A
-  A/D
-  B
-  B/D

-  C
-  C/D
-  D
-  Not rated or not available


**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Yamhill County, Oregon  
 Survey Area Data: Version 9, Sep 8, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 19, 2015—Sep 13, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

**Table—Hydrologic Soil Group**

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
2211B	Cove silty clay loam, 3 to 8 percent slopes	D	9.0	39.3%
2304C	Carlton silt loam, 2 to 12 percent slopes	C/D	3.8	16.5%
2304D	Carlton silt loam, 12 to 20 percent slopes	C/D	1.4	6.2%
2706C	Hazelair silty clay loam, 2 to 12 percent slopes	D	4.0	17.3%
2784C	Witzel-Ritner complex, 2 to 12 percent slopes, stony	D	0.0	0.0%
2784D	Witzel-Ritner complex, 12 to 20 percent slopes, stony	D	0.2	1.1%
2785C	Saum-Parrett complex, 2 to 12 percent slopes	C	1.3	5.5%
2798D	Witham silty clay loam, hummocky, 2 to 25 percent slopes	D	3.3	14.2%
<b>Totals for Area of Interest</b>			<b>23.0</b>	<b>100.0%</b>

**Rating Options—Hydrologic Soil Group**

*Aggregation Method: Dominant Condition*

*Component Percent Cutoff: None Specified*

*Tie-break Rule: Higher*

# References

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## Custom Soil Resource Report

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## **Appendix E: TR55 RUNOFF CURVE NUMBERS**

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**Table 2-2a** Runoff curve numbers for urban areas <sup>1/</sup>

Cover description	Average percent impervious area <sup>2/</sup>	Curve numbers for hydrologic soil group			
		A	B	C	D
<b>Fully developed urban areas (vegetation established)</b>					
Open space (lawns, parks, golf courses, cemeteries, etc.) <sup>3/</sup> :					
Poor condition (grass cover < 50%) .....		68	79	86	89
Fair condition (grass cover 50% to 75%) .....		49	69	79	84
Good condition (grass cover > 75%) .....		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way) .....		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way) .....		98	98	98	98
Paved; open ditches (including right-of-way) .....		83	89	92	93
Gravel (including right-of-way) .....		76	85	89	91
Dirt (including right-of-way) .....		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) <sup>4/</sup> .....		63	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders) .....		96	96	96	96
Urban districts:					
Commercial and business .....	85	89	92	94	95
Industrial .....	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses) .....	65	77	85	90	92
1/4 acre .....	38	61	75	83	87
1/3 acre .....	30	57	72	81	86
1/2 acre .....	25	54	70	80	85
1 acre .....	20	51	68	79	84
2 acres .....	12	46	65	77	82

**Developing urban areas**

Newly graded areas (pervious areas only, no vegetation) <sup>5/</sup> .....		77	86	91	94
-----------------------------------------------------------------------------	--	----	----	----	----

Idle lands (CN's are determined using cover types similar to those in table 2-2c).

<sup>1</sup> Average runoff condition, and  $I_a = 0.2S$ .  
<sup>2</sup> The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.  
<sup>3</sup> CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.  
<sup>4</sup> Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.  
<sup>5</sup> Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

**Table 2-2b** Runoff curve numbers for cultivated agricultural lands <sup>1/</sup>

Cover description			Curve numbers for hydrologic soil group			
Cover type	Treatment <sup>2/</sup>	Hydrologic condition <sup>3/</sup>	A	B	C	D
Fallow	Bare soil	—	77	86	91	94
	Crop residue cover (CR)	Poor	76	85	90	93
		Good	74	83	88	90
Row crops	Straight row (SR)	Poor	72	81	88	91
		Good	67	78	85	89
	SR + CR	Poor	71	80	87	90
		Good	64	75	82	85
	Contoured (C)	Poor	70	79	84	88
		Good	65	75	82	86
	C + CR	Poor	69	78	83	87
		Good	64	74	81	85
	Contoured & terraced (C&T)	Poor	66	74	80	82
		Good	62	71	78	81
C&T+ CR	Poor	65	73	79	81	
	Good	61	70	77	80	
Small grain	SR	Poor	65	76	84	88
		Good	63	75	83	87
	SR + CR	Poor	64	75	83	86
		Good	60	72	80	84
	C	Poor	63	74	82	85
		Good	61	73	81	84
	C + CR	Poor	62	73	81	84
		Good	60	72	80	83
	C&T	Poor	61	72	79	82
		Good	59	70	78	81
C&T+ CR	Poor	60	71	78	81	
	Good	58	69	77	80	
Close-seeded or broadcast legumes or rotation meadow	SR	Poor	66	77	85	89
		Good	58	72	81	85
	C	Poor	64	75	83	85
		Good	55	69	78	83
	C&T	Poor	63	73	80	83
		Good	51	67	76	80

<sup>1</sup> Average runoff condition, and  $I_a=0.2S$

<sup>2</sup> Crop residue cover applies only if residue is on at least 5% of the surface throughout the year.

<sup>3</sup> Hydraulic condition is based on combination factors that affect infiltration and runoff, including (a) density and canopy of vegetative areas, (b) amount of year-round cover, (c) amount of grass or close-seeded legumes, (d) percent of residue cover on the land surface (good  $\geq 20\%$ ), and (e) degree of surface roughness.

Poor: Factors impair infiltration and tend to increase runoff.

Good: Factors encourage average and better than average infiltration and tend to decrease runoff.

**Table 2-2c** Runoff curve numbers for other agricultural lands <sup>1/</sup>

Cover description	Hydrologic condition	Curve numbers for hydrologic soil group			
		A	B	C	D
Pasture, grassland, or range—continuous forage for grazing. <sup>2/</sup>	Poor	68	79	86	89
	Fair	49	69	79	84
	Good	39	61	74	80
Meadow—continuous grass, protected from grazing and generally mowed for hay.	—	30	58	71	78
Brush—brush-weed-grass mixture with brush the major element. <sup>3/</sup>	Poor	48	67	77	83
	Fair	35	56	70	77
	Good	30 <sup>4/</sup>	48	65	73
Woods—grass combination (orchard or tree farm). <sup>5/</sup>	Poor	57	73	82	86
	Fair	43	65	76	82
	Good	32	58	72	79
Woods. <sup>6/</sup>	Poor	45	66	77	83
	Fair	36	60	73	79
	Good	30 <sup>4/</sup>	55	70	77
Farmsteads—buildings, lanes, driveways, and surrounding lots.	—	59	74	82	86

<sup>1</sup> Average runoff condition, and  $I_a = 0.2S$ .

<sup>2</sup> **Poor:** <50% ground cover or heavily grazed with no mulch.

**Fair:** 50 to 75% ground cover and not heavily grazed.

**Good:** > 75% ground cover and lightly or only occasionally grazed.

<sup>3</sup> **Poor:** <50% ground cover.

**Fair:** 50 to 75% ground cover.

**Good:** >75% ground cover.

<sup>4</sup> Actual curve number is less than 30; use CN = 30 for runoff computations.

<sup>5</sup> CN's shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN's for woods and pasture.

<sup>6</sup> **Poor:** Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning.

**Fair:** Woods are grazed but not burned, and some forest litter covers the soil.

**Good:** Woods are protected from grazing, and litter and brush adequately cover the soil.

**Table 2-2d** Runoff curve numbers for arid and semiarid rangelands <sup>1/</sup>

Cover description		Curve numbers for hydrologic soil group			
Cover type	Hydrologic condition <sup>2/</sup>	A <sup>3/</sup>	B	C	D
Herbaceous—mixture of grass, weeds, and low-growing brush, with brush the minor element.	Poor		80	87	93
	Fair		71	81	89
	Good		62	74	85
Oak-aspen—mountain brush mixture of oak brush, aspen, mountain mahogany, bitter brush, maple, and other brush.	Poor		66	74	79
	Fair		48	57	63
	Good		30	41	48
Pinyon-juniper—pinyon, juniper, or both; grass understory.	Poor		75	85	89
	Fair		58	73	80
	Good		41	61	71
Sagebrush with grass understory.	Poor		67	80	85
	Fair		51	63	70
	Good		35	47	55
Desert shrub—major plants include saltbush, greasewood, creosotebush, blackbrush, bursage, palo verde, mesquite, and cactus.	Poor	63	77	85	88
	Fair	55	72	81	86
	Good	49	68	79	84

<sup>1</sup> Average runoff condition, and  $I_a = 0.2S$ . For range in humid regions, use table 2-2c.

<sup>2</sup> Poor: <30% ground cover (litter, grass, and brush overstory).

Fair: 30 to 70% ground cover.

Good: > 70% ground cover.

<sup>3</sup> Curve numbers for group A have been developed only for desert shrub.

**Attachment 3:  
Agency Comments**



Community Development Planning Division  
Land Use Application Referral

**REFERRAL TO:** Director of Public Works, Russ Thomas

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: November 22, 2021. Please refer questions and comments to Doug Rux.

**NOTE: Full size plans are available at the Community Development Department Office.**

**APPLICANT:** AKS Engineering & Forestry, LLC / Glen Southerland  
**REQUEST:** 12 Lot Subdivision for SF Residences  
**SITE ADDRESS:** 4016 College Street  
**LOCATION:** Rourke Development  
**TAX LOT:** R3208 02900  
**FILE NO:** SUB221-0003  
**ZONE:** R-1

**HEARING DATE:** \_\_\_\_\_

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.

Comments. (Attach additional pages as needed) *ALL PUBLIC UTILITY PLANS, INCLUDING ROW SHALL BE REVIEWED AND APPROVED BY CON ENGINEERING PRIOR TO COMMENCEMENT OF CONSTRUCTION & PROPER PERMITS SHALL BE ISSUED BEFORE PERMIT REQUIRED WORK CAN BEGIN*

  
Reviewed By:

11/8/2021  
Date:





## Response Page

Department of State Lands (DSL) WN#\*

WN2021-1263

### Responsible Jurisdiction

<b>Staff Contact</b> Doug Rux	<b>Jurisdiction Type</b> City	<b>Municipality</b> City of Newberg
<b>Local case file #</b> SUB221-0003	<b>County</b> Yamhill	

### Activity Location

<b>Township</b> 03S	<b>Range</b> 02W	<b>Section</b> 08	<b>QQ section</b>	<b>Tax Lot(s)</b> 2900
------------------------	---------------------	----------------------	-------------------	---------------------------

Street Address

4016 N College St

Address Line 2

City

Newberg

Postal / Zip Code

97132

State / Province / Region

OR

Country

Yamhill

**Latitude**

45.329281

**Longitude**

-122.969218

### Wetland/Waterway/Other Water Features

- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

### Your Activity

- It appears that the proposed project **will** impact wetlands and **requires** a State Permit.

An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the site has wetlands or other waters that may be regulated. The determination or delineation report should be submitted to DSL for review and approval. Approved maps will have a DSL stamp with approval date and expiration date.

The proposed parcel division may create a lot that is largely wetland and thus create future development problems.

## Applicable Oregon Removal-Fill Permit Requirement(s)

A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

## Closing Information

### Additional Comments

A review of best available information indicates a drainageway/wetland moving through the property. There is enough information to conclude that wetlands are likely to be present and that one or more of the lots may pose development problems with wetlands present. The informal wetland delineation referenced in the applicant's plan set has not been reviewed per OAR 141-090-0035, and the applicant is recommended to have that delineation be prepared to those standards and submitted to the DSL for review and approval. After formal DSL concurrence of wetland boundaries, the applicant would be able to confirm if the project is over or under the state wetland removal-fill permit exemption threshold of 50 cubic yards. Moving forward without the approved delineation may lead to a DSL enforcement action.

**This is a preliminary jurisdictional determination and is advisory only.**

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

### Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

### Response Date

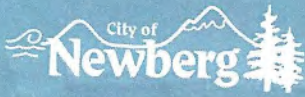
12/10/2021

### Response by:

Daniel Evans

### Response Phone:

503-986-5271



Community Development Planning Division  
Land Use Application Referral

**REFERRAL TO:** TVFR , Deputy Fire Marshall, Ty Darby


The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: November 22, 2021. Please refer questions and comments to Doug Rux.

**NOTE: Full size plans are available at the Community Development Department Office.**

**APPLICANT:** AKS Engineering & Forestry, LLC / Glen Southerland. \_  
**REQUEST:** 12 Lot Subdivision for SF residences  
**SITE ADDRESS:** 403 W Foothills Drive  
**LOCATION:** Rourke Development  
**TAX LOT:** R3208 02900  
**FILE NO:** SUB221-0003  
**ZONE:** R-1

**HEARING DATE:** \_\_\_\_\_

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

 DARBY / 0806  
Reviewed By:

11/19/21  
Date:



November 19, 2021

City of Newberg  
Doug Rux  
414 E. First St.  
Newberg, OR 97132

**Re: SUB221-0003, 403 W Foothills Drive, 12 lot residential subdivision, Newberg, OR 97132**

Dear Doug,

Thank you for the opportunity to review the proposed site plan surrounding the above-named development project. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval:

1. **FIREFIGHTING WATER SUPPLY FOR INDIVIDUAL ONE- AND TWO-FAMILY DWELLINGS:** The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B. (OFC B105.2)
2. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)
3. **FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES:** Where the most remote portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1)

If you have questions or need further clarification or would like to discuss any alternate methods and/or materials, please feel free to contact me at **(503)259-1409**.

Sincerely,

Ty Darby  
Deputy Fire Marshal II

**Attachment 4:  
Public Comments**

## Doug Rux

---

**From:** Kyle Mesneak <mesneak4@gmail.com>  
**Sent:** Friday, November 19, 2021 2:42 PM  
**To:** Doug Rux  
**Subject:** SUB221-0003 Rourke Development Subdivision

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

I am writing to you in strong opposition of the proposal to create a 12 lot subdivision at the following location:

LOCATION: 4016 N College Street  
TAX MAP/LOT NUMBER: R3208 02900

This location is not adequate for that density of development. Packing in a large number of homes will change the face of the area. The construction of these homes will cause noise and disruption to our environment and will threaten the green space that is adjoining the lot on the downside of College Street towards Foothills drive. Traffic will be increased exponentially, posing additional threat to pedestrians and school age children in the area that walk along and across College Street. This concern pertains not only to Veritas School, but to the Families of children whose kids attend Crater Elementary School and Chehalem Valley Middle School.

I strongly urge the Community Development Department to not allow this to move forward.

Respectfully,

Kyle Mesneak  
Homeowner



# Veritas School

SOLI DEO GLORIA

November 17, 2021

RECEIVED  
NOV 18 2021

Initial: \_\_\_\_\_

Written Comments: SUB221-0003  
City of Newberg  
Community Development Department  
PO Box 970  
Newberg OR 97132

Subject: Request for Denial of SUB221-0003

Veritas School respectfully requests denial of SUB221-0003, which consists of the plat referred to as "Rourke Development Subdivision" and the Preliminary Plans as submitted, requesting to subdivide the plat from the existing 1 lot and "create" a 12-lot subdivision averaging 5,919 square feet in area, 12 single family homes and a residential street connecting.

This "creation" is proposed to take place on TAX MAP/LOT NUMBER: R3208 / 02900, a 2.34 acre parcel uphill and contiguous to two tax lot properties owned by Veritas School depicted as TAX LOT 100 and TAX LOT 200 on P04 (Preliminary Plat and Setbacks Plan, Rourke Development Subdivision, date 10/15/2021 and prepared by AKS for Rourke Development).

In general, the Applicants responses to portions of NMC Division 15.200 are inadequate and offer no stated and verifiable solution to storm water control and mediation of flooding, erosion and damage to the Veritas properties caused by roughly 2 acres of impermeable surfaces that would be created in this proposal. Claiming the "evidence in the record is substantial and supports approval of the application" at once greatly exaggerates the efforts of the Applicant and fails to provide remedies to existing stormwater issues.

The narrative, in discussing 15.505.04 D2 requirements for the 'proposed water facilities' on the middle of page 57, raises questions:

"Excess capacity exists at the Oak Knoll Pump Station... Conversations with the City have indicated that sufficient capacity exists to serve this 12-lot subdivision..."

Given that the Oak Knoll Pump Station has not changed over the last several years, and given that the City of Newberg refused to let us hook up stating that there was insufficient flow through Oak Knoll in 2017, which necessitated our bringing in our own water for a full year, how can it be that now--without improvements—that an "Excess capacity exists at the Oak Knoll Pump Station..." even enough for this proposed 12-home development?

Veritas has repeatedly been told that there is not sufficient capacity to expand connection by other parties. However, the Applicant states that, "Conversations with the City have indicated that sufficient capacity exists to serve this 12-lot subdivision." What exactly are these conversations based on? Are there calculated engineering studies to show what capacity exists? And the application mentions that the City plans to add a new pump station in this area, the Bell Road Pump Station, but fails to comment on how that fact may or may not affect the availability of water and water pressure as required by the proposed development. The application provides no confidence in the soundness of its pronouncements.

Turning to stormwater, in the wideness of the Sub Division Application response language, NMC 15.505.050 is inadequately answered. Division 15.200 / 15.235.20 (E) Adequate Drainage states the proposal shall include remedies to assure "Water quality or quantity control improvements" that may be required. The applicant alludes to remedies in its Tract A Stormwater Facility response to 15.235.040 A (3) pp12, 13 of SUB221-0003 and indicates:

"Overflow will be directed to an existing 18 inch stormwater main within the N College Street right of way south of the site." p13

There is no 18-inch stormwater main, as referenced in the Applicants response, shown or identified in the submitted Application. Assuming even more, P05 of Exhibit A (the Preliminary Street Plan and Cross Section) shows the referenced Tract A Stormwater Facility with a "Variable Width PUE" running South from the Stormwater Facility on/into Veritas property, Tax Lot 200. Although, our easement documents do not reflect the existence of such an easement.

At the same time, there appears a notice on P04 of Exhibit A (the Preliminary Plat and Setback Plan), under Notes that "1. Tract A is a Stormwater Facility to be owned and maintained by City of Newberg" Who is responsible for all aspects of the Tract A Stormwater Facility and its relationship to NMC 15.200 through 15.505.050? The current owner or the owner-projected? We should like to know how this is structured currently to allow our questions and concerns to follow correctly.

Additionally, and in contrast to the previous paragraph, the Applicants response to 15.235.040 B 6 (p17) demonstrates avoidance of answering exactly where and how stormwater will be dissipated downstream by alluding that such remedies will be "submitted at a later date."



Another response from the Applicant, on top of page 57, regarding 15.505.040 D indicates:

“Extension of and connection to the necessary water, wastewater and stormwater improvements is planned. Utility locations and details are available within the Preliminary Plans (Exhibit A).”

We cannot see locations or details of any improvements planned; nor is there a list of improvements anywhere on Exhibit A.

In the Applicants response to 15.505.050 A, B, C and D on page 60 the narrative states:

“The Preliminary Plans show stormwater runoff will be collected by a proposed on-site stormwater facility and conveyed to an existing main in N College Street which has adequate capacity to carry the facility’s discharge.”

This statement may be true. However, if the situation downstream of said stormwater facility was as represented throughout this narrative, why was the following sentence included?

“Also proposed are the rerouting of two roadside drainage ditches along N College Street due to the needed improvement of N College Street. The Applicant will be responsible for all costs associated with designing and constructing the facilities necessary to meet this requirement.” P60

Where is this water going to travel? What are the improvements? Where, exactly, are they to be effected? By whom?

Now, please, direct your attention to Exhibit G, the Applicant’s Preliminary Stormwater Report:

“6.0 Analyses

6.1 Proposed Stormwater conduit sizing and inlet spacing

The proposed onsite curb inlets have been located per City of Newberg requirements to properly convey stormwater runoff. The proposed storm system pipes *will be sized* using Manning's equation to convey the peak flows from the 25-year storm event and *will be addressed within the final stormwater report.*”

*Will be addressed?* Clearly, this Criterion is not met. This is also related to 6.4; following.

Written Comments  
November 17, 2021  
Page 4

And in 6.2...

*"The extended dry basin has been designed per PW DCS 2015 Standard Drawing 461 to provide water quality treatment for the proposed site and the conveyance system has been designed to intercept/collect stormwater runoff from a portion of College Street (Hwy 219). To treat the runoff from impervious surfaces, the Water Quality Flows will be routed through the extended dry basin located within Tract A (southwest corner of the project)."*

Water flows will be routed **through** the Tract A dry basin...?? To Where? Veritas Tax Lots?

And, finally, "6.4 DOWNSTREAM ANALYSIS

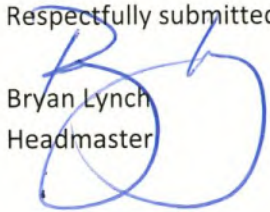
The onsite stormwater facility will limit site post-developed discharges to the pre-developed flows by providing detention within the extended dry basin. The City of Newberg Stormwater Master Plan dated June 2021 notes that the hydraulic model identifies a localized flooding issue approximately 0.17 miles downstream from the outfall of the planned development. This is shown in Figure 3.1 of the master 4612 Rourke Development Subdivision October 2021 Preliminary Stormwater Report Page 7 plan. According to the master plan, a Capital Improvement Program (CIP) is in place to replace undersized pipes that are noted as the cause for flooding. The CIP for this localized area is identified as "C-C: Oxford St. Improvements – Section 1" in Appendix D of the Master Plan. This is a "Priority 1" project that is planned to be completed within 5 years. Since the design of the stormwater facility within the planned development will result in post-developed discharges that are less than pre-developed discharges, current flooding issues will not be worsened by the planned development. "

Veritas Property is located immediately south of this proposed development. We disagree that we should have the pleasure of localized flooding on our property caused by "undersized pipes.

Throughout the SUB221-0003, the Applicant ends their Response in the presumptive: "This criterion is met." However, if any of the Applicants responses require a change or creates something new on the Veritas Tax Lots, there is more work to be done to make this Application complete enough to approve.

Veritas requests the Application SUB221-0003 Type II Rourke Development Subdivision be denied, as the application inadequately addresses several areas and pre-supposes using Veritas Property for part of the proposed solutions.

Respectfully submitted,

  
Bryan Lynch  
Headmaster



Veritas School  
SOLI DEO GLORIA

December 17, 2021


Written Comments: SUB221-0003  
City of Newberg  
Community Developments Department  
PO Box 970  
Newberg, OR 97132

RE: Rourke Development Subdivision (SUB221-0003) Public Comment

In light of the clarifications to our questions provided by AKS, dated December 15, 2021 (attached), and their assurances that "there are no changes expected on the Veritas properties as a result of this project", Veritas School is currently satisfied to have the City move forward on the Rourke Development proposal.

AKS indicates in their December 15 response that there will later be a Final Stormwater Report, which will likely be of interest to us, as there were some items in the Preliminary Stormwater Report that are being left to the final report. Given the position of Veritas properties immediately downhill from the development, we hope that there will be an opportunity to review any substantive changes that may be in this final version of the report.

Thank you,

  
Bryan Lynch  
Headmaster

Enclosure: AKS Response to Public Comment



December 15, 2021

Bryan Lynch, Headmaster  
Veritas School  
26288 NE Bell Road  
Newberg, OR 97132

RE: Rourke Development Subdivision (SUB221-0003) Response to Public Comment

Dear Mr. Lynch:

This letter seeks to answer several questions included with your public testimony dated November 17, 2021, regarding "Rourke Development Subdivision," a project located at 4016 N College Street, Yamhill County Assessor's Map 3 2 08, Tax Lot 2900. We have endeavored to address your comments and questions in service to our client's long-standing relationship with Veritas School.

### General Comments

*In general, the Applicants responses to portions of NMC Division 15.200 are inadequate and offer no stated and verifiable solution to storm water control and mediation of flooding, erosion and damage to the Veritas properties caused by roughly 2 acres of impermeable surfaces that would be created in this proposal. Claiming the "evidence in the record is substantial and supports approval of the application" at once greatly exaggerates the efforts of the Applicant and fails to provide remedies to existing stormwater issues.*

**Response:** At this stage of Preliminary Subdivision Plat, a Preliminary Stormwater Report was prepared to address stormwater issues. The Preliminary Stormwater Report shows how the stormwater runoff from the proposed subdivision will be managed and controlled such that no increase in peak volumes is directed to the downstream properties such as those owned by the Veritas School. This document, Exhibit G of the application package, will be referenced heavily throughout this response.

### Water Service Comments

*Given that the Oak Knoll Pump Station has not changed over the last several years, and given that the City of Newberg refused to let us hook up stating that there was insufficient flow through Oak Knoll in 2017, which necessitated our bringing in our own water for a full year, how can it be that now--without improvements--that an "Excess capacity exists at the Oak Knoll Pump Station ... " even enough for this proposed 12-home development?*

**Response:** Conversations with City of Newberg Public Works and Engineering staff have indicated that the Oak Knoll Pump Station currently has capacity for this 12-lot single-family detached residential subdivision. A fire flow test, performed on August 26, 2020 and submitted to the City on November 2, 2021, demonstrates that the Oak Knoll Pump Station and water system adjacent to the site is adequate for the proposed subdivision.

It is also our understanding that a Memorandum of Understanding has been signed between Veritas and the developer that summarizes an agreement between the parties

that water service is available for all parties. A copy of this agreement is included as an attachment at the end of this letter.

Future City infrastructure improvements also include the Bell Road Pump Station to be located near the corner of N College Street and NE Bell Road. This project will increase the capacity of water systems in the immediate area. Construction of this pump station, currently scheduled to begin service in 2023, would improve water capacity for fire service demand and expand water service in North Newberg.

### Stormwater Comments

*Turning to stormwater, in the wideness of the Subdivision Application response language, NMC 15.505.050 is inadequately answered. Division 15.200 / 15.235.20 (E) Adequate Drainage states the proposal shall include remedies to assure "Water quality or quantity control improvements" that may be required. The applicant alludes to remedies in its Tract A Stormwater Facility response to 15.235.040 A (3) pp12, 13 of SUB221-0003 and indicates:*

*"Overflow will be directed to an existing 18 inch stormwater main within the N College Street right of way south of the site." p13*

*There is no 18-inch stormwater main, as referenced in the Applicants response, shown or identified in the submitted Application. Assuming even more, P05 of Exhibit A (the Preliminary Street Plan and Cross Section) shows the referenced Tract A Stormwater Facility with a "Variable Width PUE" running South from the Stormwater Facility on/into Veritas property, Tax Lot 200. Although, our easement documents do not reflect the existence of such an easement.*

**Response:** Currently, stormwater in the area is directed from the Veritas School and North Valley Friends Church properties through a drainage ditch on the Rourke property to the N College Street right-of-way.

The 18-inch stormwater main is located at the bottom left corner of Sheet P07, west of the proposed Tract A Stormwater Facility and connects to the existing 18-inch culvert beneath N. College Street (Highway 219).

Stormwater from Rourke Court is directed south from the cul-de-sac along the length of the street into the proposed stormwater facility on Tract A. The variable width Public Utility Easement (PUE) referenced in the narrative is located wholly on the proposed development site (Tax Lot 2900) and was created to route the public sanitary sewer and waterline constructed by Veritas School in 2015.

*At the same time, there appears a notice on P04 of Exhibit A (the Preliminary Plat and Setback Plan), under Notes that "1. Tract A is a Stormwater Facility to be owned and maintained by City of Newberg" Who is responsible for all aspects of the Tract A Stormwater Facility and its relationship to NMC 15.200 through 15.505.050? The current owner or the owner-projected? We should like to know how this is structured currently to allow our questions and concerns to follow correctly.*

**Response:** As typical of residential stormwater facilities, the City of Newberg will be the party ultimately responsible for maintenance. The stormwater facility will be constructed per City requirements and standards by the developer and conveyed to the City following installation and inspection.



*Additionally, and in contrast to the previous paragraph, the Applicants response to 15.235.040 B 6 (pl 7) demonstrates avoidance of answering exactly where and how stormwater will be dissipated downstream by alluding that such remedies will be "submitted at a later date."*

**Response:** The Preliminary Stormwater Report proposes a general idea of how stormwater will be managed. Table 6-2 of the Preliminary Stormwater Report shows and indicates that stormwater runoff will be mitigated such that peak flows to downstream properties will be less than the pre-developed conditions. A Final Stormwater Report, accompanying construction plans for public improvements, will provide additional detail with respect to the stormwater facility sizing and depth, utility locations, etc.

*Another response from the Applicant, on top of page 57, regarding 15.505.040 D indicates:*

*"Extension of and connection to the necessary water, wastewater and stormwater improvements is planned. Utility locations and details are available within the Preliminary Plans (Exhibit A)."*

*We cannot see locations or details of any improvements planned; nor is there a list of improvements anywhere on Exhibit A.*

**Response:** Sheet P07 shows the proposed utility, street and sidewalk improvements that are proposed for the subdivision.

*In the Applicants response to 15.505.050 A, B, C and D on page 60 the narrative states:*

*"The Preliminary Plans show stormwater runoff will be collected by a proposed on-site stormwater facility and conveyed to an existing main in N College Street which has adequate capacity to carry the facility's discharge."*

*This statement may be true. However, if the situation downstream of said stormwater facility was as represented throughout this narrative, why was the following sentence included?*

*"Also proposed are the rerouting of two roadside drainage ditches along N College Street due to the needed improvement of N College Street. The Applicant will be responsible for all costs associated with designing and constructing the facilities necessary to meet this requirement." P60*

*Where is this water going to travel? What are the improvements? Where, exactly, are they to be effected? By whom?*

**Response:** Roadside drainage ditches along the east side of College Street (Highway 219) are being replaced by widened pavement, sidewalk, and planter strips. Stormwater will be carried by a variety of piped systems to the Rourke property and Tract A stormwater facility.

*Now, please, direct your attention to Exhibit G, the Applicant's Preliminary Stormwater Report:*

*"6.0 Analyses*

*6.1 Proposed Stormwater conduit sizing and inlet spacing*

*The proposed onsite curb inlets have been located per City of Newberg requirements to properly convey stormwater runoff. The proposed storm system pipes will be sized using Manning's equation to convey the peak flows from the 25-year storm event and will be addressed within the final storm water report."*

*Will be addressed? Clearly, this Criterion is not met. This is also related to 6.4; following.*

**Response:** The design of curb inlet spacing is typically deferred until the final design and preparation of construction drawings of the subdivision since these elements have no impact on the

discharge of stormwater runoff to downstream properties. The preliminary design of the stormwater facility is intended to show that peak flows will be mitigated and dissipated through the stormwater facility prior to discharging offsite.

And in 6.2 ...

*"The extended dry basin has been designed per PW DCS 2015 Standard Drawing 461 to provide water quality treatment for the proposed site and the conveyance system has been designed to intercept/collect stormwater runoff from a portion of College Street (Hwy 219). To treat the runoff from impervious surfaces, the Water Quality Flows will be routed through the extended dry basin located within Tract A (southwest corner of the project)."*

*Water flows will be routed through the Tract A dry basin ... ?? To Where? Veritas Tax Lots?*

**Response:** The stormwater will be directed to the same location that runoff is currently directed, a roadside drainage ditch along the east side of N College Street. The subdivision project will manage and control its portion of the stormwater runoff which is currently collected from the upstream Veritas School property and discharges to the right-of-way adjacent to a downstream Veritas property.

And, finally, "6.4 DOWNSTREAM ANALYSIS

*The onsite stormwater facility will limit site post-developed discharges to the pre-developed flows by providing detention within the extended dry basin. The City of Newberg Stormwater Master Plan dated June 2021 notes that the hydraulic model identifies a localized flooding issue approximately 0.17 miles downstream from the outfall of the planned development. This is shown in Figure 3.1 of the master 4612 Rourke Development Subdivision October 2021 Preliminary Stormwater Report Page 7 plan. According to the master plan, a Capital Improvement Program (CIP) is in place to replace undersized pipes that are noted as the cause for flooding. The CIP for this localized area is identified as "C-C: Oxford St. Improvements-Section 1" in Appendix D of the Master Plan. This is a "Priority 1" project that is planned to be completed within 5 years. Since the design of the stormwater facility within the planned development will result in post-developed discharges that are less than pre-developed discharges, current flooding issues will not be worsened by the planned development. "*

*Veritas Property is located immediately south of this proposed development. We disagree that we should have the pleasure of localized flooding on our property caused by "undersized pipes."*

**Response:** The area of flooding identified within the City of Newberg Stormwater Master Plan and above excerpt is located approximately 500 feet to the southwest of the Veritas properties and ±900 feet from the Rourke site, downstream of both sites. Neither the Veritas nor Rourke sites are under threat of flooding because of the undersized piping included within the City's Capital Improvement Program. The Rourke Development Subdivision does not contribute in any significant way to potential flooding at the Oxford Street intersection. The design of the project is such that the downstream Veritas property will not be impacted by additional peak stormwater runoff. The intent of the statement in our preliminary stormwater report is to indicate that we are not increasing flooding on downstream properties above levels which the City has identified in their stormwater masterplan.

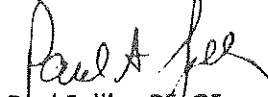
*Throughout the SUB221-0003, the Applicant ends their Response in the presumptive: "This criterion is met." However, if any of the Applicants responses require a change or creates something new on the Veritas Tax Lots, there is more work to be done to make this Application complete enough to approve.*

**Response:** As outlined previously, there are no changes expected on the Veritas properties as a result of this project. The submittal of a Preliminary Stormwater Report allows for review of the general, conceptual design of the project by the public and City staff. Our aim is to answer any questions you or the City may have prior to the creation of a Final Stormwater Report.

We hope these responses will clarify how the proposed subdivision will or will not impact Veritas School and other neighbors. Please feel free to contact us if you have any additional questions.

Sincerely,

**AKS ENGINEERING & FORESTRY, LLC**



**Paul Sellke, PE, GE**

12965 SW Herman Road, Suite 100

Tualatin, OR 97062

503-563-6151 | [PaulS@aks-eng.com](mailto:PaulS@aks-eng.com)

Cc: Bill Rourke, Rourke Development (via email)  
Jim Fisher, Prime Time Development (via email)  
Glen Southerland, AICP, AKS Engineering & Forestry (via email)  
Doug Rux, AICP, City of Newberg (via email)

Attachment: Memorandum of Understanding (April 16, 2021)

