

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 1, 2014

Order ____	Ordinance ____	Resolution <u>XX</u>	Motion ____	Information ____
No.	No.	No. 2014-3171		

SUBJECT: Partition of 508 S. Springbrook Road – a recommendation to Yamhill County for a property outside city limits

**Contact Person (Preparer) for this Motion: Steve Olson, Interim Director
Dept.: Planning & Building
File No.: G-14-003**

HEARING TYPE: LEGISLATIVE

RECOMMENDATION:

Adopt Resolution No. 2014-3171, recommending that Yamhill County approve the proposed partition of 508 S. Springbrook Road, tax lot 3221-3800.

EXECUTIVE SUMMARY: On October 30, 2014 the City received a copy of a partition application to divide a property at 508 S. Springbrook Road into two parcels. The property is located outside city limits but within the Newberg Urban Growth Boundary (UGB). Yamhill County has jurisdiction over the site, and will make the final decision on the partition application. The Newberg Urban Area Growth Management Agreement states that the City Council shall make a recommendation to the County on land use applications, including partitions, within the UGB. The City has 60 days from the receipt of the application to make a recommendation. The partition application is Yamhill County file no. P-09-14.

The site is at 508 S. Springbrook Road, tax lot 3221-3800. It is approximately 14.75 acres. The western half of the site (approximately 7.5 acres) is within the city's UGB and has a MDR (medium density residential) Comprehensive Plan designation. The eastern part of the site is outside the UGB and has County VLDR-1 zoning, which allows rural residential use.

The applicant, Arnie Fuchs, proposes to partition the site into a 2.47 acre parcel along Springbrook Road and a 11.98 acre eastern parcel, which will be a flag lot with a 103 foot wide connection to Springbrook Road. No new buildings or utility improvements are proposed for either site. The owner of the eastern parcel intends to continue to use it as a rural residential site. The applicant intends to use the western parcel as a staging area for Harris Thermal delivery trucks. Harris Thermal makes some very large products, and sometimes needs to ship on oversized trucks. The applicant intends to add gravel to the western site to create a flat surface for staging trucks.

The Springbrook Road frontage along this site is being improved by ODOT as part of the first phase of the Newberg-Dundee Bypass, so the Springbrook street frontage will be fully improved whether or not development occurs on this site.

The City's intent in the Urban Area Growth Management Agreement is to recommend that the County only allow development in the UGB that is limited in scope and consistent with the future urban development of the property.

- No buildings or utility improvements are proposed, so the development is limited in scope.
- The site has a Medium Density Residential designation, which means that future urban development could include single family houses, duplexes or apartments. The proposed parcels will be relatively

large, so they would not preclude the efficient future urban development of the property for apartments or other residential developments. The eastern parcel has a 103 foot wide connection to Springbrook Road, so a public road with a 60 foot wide right-of-way could be extended into the site if needed. The proposed partition would allow the future urban development of the property.

Staff recommends that the City Council recommend approval of the partition.

FISCAL IMPACT: There is no fiscal impact to the city from the partition.

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS): The partition does not hinder the future urbanization of the parcels because the parcel sizes will remain relatively large and the access to the rear parcel is wide enough to contain a public street, if necessary. No new buildings or utility improvements are proposed for either parcel, so no permanent improvements are proposed that would affect the location of future development on the parcels.

ATTACHMENTS:

Resolution no. 2014-3171 with

Exhibit A: Proposed partition plat

Exhibit B: Findings

1. Partition application and letter regarding future development
2. Comprehensive Plan map

EXHIBIT B: FINDINGS

The applicable Newberg Urban Area Growth Management Agreement criteria are:

It is the City's intent to recommend that the County only allow development in the Urban Reserve Area that is limited in scope and that is consistent with the future urban development of the property.

1. Future Development Plan: The City Council shall recommend approval, recommend approval with conditions, or recommend against the future development plan in accordance with the following criteria:

(a) The current development shall not cause more than 10 percent of the property to be used for site improvements including buildings, parking areas, improved recreation areas, and storage areas, unless the City agrees the development intensity will not prohibit future urban development.

(b) The future development plan shall allow for the efficient future urban development of the remainder of the property. It shall allow for construction of future urban streets and utilities, and shall allow for required setbacks to current and future property lines.

(c) The plan is consistent with adopted plans and policies for the area, such as street or utility plans and policies in this agreement.

Findings: The site is at 508 S. Springbrook Road, tax lot 3221-3800. It is approximately 14.75 acres. The western half of the site (approximately 7.5 acres) is within the city's UGB and has a MDR (medium density residential) Comprehensive Plan designation. The eastern part of the site is outside the UGB and has County VLDR-1 zoning, which allows rural residential use.

The applicant, Arnie Fuchs, is proposing to partition the site into a 2.47 acre parcel along Springbrook Road and a 11.98 acre eastern parcel, which will be a flag lot with a 103 foot wide connection to Springbrook Road. No new buildings or utility improvements are proposed for either site. The owner of the eastern parcel intends to continue to use it as a rural residential site. The applicant intends to use the western parcel as a staging area for Harris Thermal delivery trucks. Harris Thermal makes some very large products, and sometimes needs to ship on oversized trucks. The applicant intends to add gravel to the western site to create a flat surface for staging trucks.

The City's intent in the Urban Area Growth Management Agreement is to recommend that the County only allow development in the UGB that is limited in scope and consistent with the future urban development of the property.

- No buildings or utility improvements are proposed, so the development is limited in scope and the development intensity will not prohibit future urban development.
- The site has a Medium Density Residential designation, which means that future urban development could include single family houses, duplexes or apartments. The proposed parcels will be relatively large, so they would allow the efficient future urban development of the property for apartments or other residential developments. The eastern parcel has a 103 foot wide connection to Springbrook Road, so a public road with a 60 foot wide right-of-way and public utilities could be extended into the site if needed. The existing residential buildings on the eastern parcel are located beyond the required 5 foot setback from the new property line.
- The Springbrook Road frontage will be fully improved by ODOT as part of the Newberg-Dundee Bypass, so Springbrook will be improved as shown in the City's Transportation System Plan whether or not this site is developed.