



# City of Durham

17160 SW Upper Boones Ferry Rd.  
Durham, Oregon 97224

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**Jordan Parente - City Administrator**

**Kait Garlick - Administrative Assistant**

## NOTICE OF PLANNING COMMISSION DECISION

- APPLICATION FILES: #594-24
- REQUEST: To partition a parcel of approximately 1 acre into 3 lots of approximately 11,440, 14006, and 16,101 square feet.
- OWNER/APPLICANT: Clint Welsh / Spartan Redevelopment, LLC  
21370 SW Langer Farms Parkway, Suite 142, #272  
Durham, OR 97224
- OWNER: Dutch Ventures, LLC  
7870 SW Ellman Lane  
Durham, OR 97224
- SITE LOCATION: 7870 SW Ellman Lane  
Tax Map 2S1 13CD, Tax Lot 700
- LOT AREA: 1 acre
- ZONE DESIGNATION: Single Dwelling Residential - SDR

### AUTHORIZATION:

The review and approval criteria for the proposal are provided in the Durham Development Code (DDC) under Section 2.8 SDR Zone; Section 3.1 Standard Site Design in Residential Zones; Section 3.7 On-site Access and Off-Street Parking; Section 3.8 Required Facilities and Undergrounding; Section 3.9 Street Design; Section 3.10 Protection of Transportation Facilities; Section 8. Land Divisions; and Section 9.76 Type 2 Procedures & Criteria.

### DECISION

A public meeting was held after 7:30 p.m. on September 3<sup>rd</sup>, 2024, and the Durham Planning Commission unanimously APPROVED the 3-lot minor partition subdivision (City File #594-24) based on the finding of fact in the August 30<sup>th</sup>, 2024, City Staff Report and subject to the following conditions of approval:

### CONDITIONS OF APPROVAL

**Prior to any work on the site and prior to or coincident with final Subdivision Plat Recording:**

1. Conditions 2 through 10 below shall be satisfied prior to recording the minor partition with Washington County.
2. A 15-foot street dedication for the full frontage of SW Ellman Lane shall be provided as shown on the tentative plan.
3. SW Ellman Lane frontage improvements including pavement widening, curb, driveway, and drainage shall be constructed according to relevant city and agency standards. Construction standards for structures within the public right of way may be modified as appropriate by the City Engineer to match existing infrastructure.

4. If there is a well on the site, it shall be abandoned according to OWRD regulations, and the City Engineer shall inspect abandonment.
5. Prior to construction, final construction plans showing frontage improvements shall be submitted to the City for review and acceptance. Plans shall include necessary traffic control on SW Ellman Lane.
6. A Clean Water Services (CWS) Site Development Permit must be obtained prior to plat approval and recordation. Application for CWS Site Development Permit must be in accordance with the 10 requirements of the Design and Construction Standards, Resolution and Order Nos. 19-5 as amended by R&O 19-22 (CWS Standards), or prior standards as meeting the implementation policy of R&O 18-28, and is to include:
  - a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
  - b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans.
  - c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.
  - d. Provisions for water quality in accordance with the requirements of the above-named design standards. Water Quality is required for all new development and redevelopment areas per R&O 19-5, Section 4.04. Access shall be provided for maintenance of facility per R&O 19-5, Section 4.07.6.
  - e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.
  - f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement for the proposed private lot LIDA systems needs to be provided to the City for review and acceptance.
  - g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
  - h. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.
7. Coordinate with Tigard Water for public utility permitting and construction.
8. Compliance with all applicable TVFR standards shall be verified prior to recording the final minor partition plat.
9. Obtain permits as required for work within the City of Durham. Required permits include Structural Demolition Permit with associated environmental regulation requirements.
10. Tree protection measures for preserved trees on property shall be followed per Pacific Consulting Arborists' report dated August 9<sup>th</sup>, 2024.
11. The final minor partition plat shall be substantially the same as the proposal approved herein.
12. The minor partition shall be recorded with Washington County within one year of the approval date unless an extension is granted as provided in DDC Section 11.

DATE OF PLANNING COMMISSION DECISION: September 3<sup>rd</sup>, 2024

Date mailed: September 5<sup>th</sup>, 2024

THE DECISION OF THE PLANNING COMMISSION SHALL BE FINAL UNLESS A PETITION OF APPEAL IS FILED AT CITY HALL WITHIN TWELVE (12) DAYS FOLLOWING THE DATE THAT THE DECISION WAS MAILED. THE APPEAL PETITION MUST PROVIDE THE INFORMATION AND FILING FEE AS SPECIFIED IN SECTION 9.9 OF THE DURHAM DEVELOPMENT CODE. THE APPEAL PETITION SHALL BE REVIEWED BY THE CITY COUNCIL IN ACCORDANCE WITH ITS OWN ADOPTED RULES OF PROCEDURE.