



May 25, 2022

Chad Sweet
City Administrator
City of Gearhart
698 Pacific Way
Gearhart, Ore. 97138

Re: Transmittal Sheet supporting an Application for a Final Partition Plat by James Gronmark at 4915 Gronmark Ln., Gearhart, Ore. per City File #22-02P, Public Hearing Date April 14, 0222; May 12, 2022, Revised Condition of Approval

Mr. Sweet,

Please see attached application for the Gronmark Partition Plat:

Transmittal (electronic packet & 10 hard copies)

1. Signed, completed Application Cover Sheet
2. Conditions of Approval Comments
3. 11x17 copy of Final Partition (2 sheets)

Thank you for your assistance with this very important project.

Best Regards,

Michael G. Magyar, PLS



CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97138
(503) 738-5501 • (503) FAX 738-9385

APPLICATION FOR FINAL PLAT APPROVAL

1. SUBDIVISION

2. LAND PARTITION

3. EXPEDITED REVIEW - PER ORS 197.360

APPLICANT Jim Gronmark FILE NUMBER 22-02P

CURRENT ZONE R-1 FEE - NO CHARGE

DETAILS AND REASONS FOR REQUEST: Per the approval of a Tentative Land Partition by James H. Gronmark on Gronmark Lane. I, Michael G. Magyar, Oregon PLS 90788, hereby submit for approval this application for Final Plat.

Final Land Division Plat Requirements from the Gearhart Subdivision Ordinance, June 2017.

SECTION 31 - INFORMATION ON FINAL PLAT

1. The name of the partition, the date the plat was prepared, the scale, north point, legend and existing features such as highways and railroads.
2. Legal description of the partition boundaries.
3. Reference and bearings, to adjoining surveys.

4. The locations and descriptions of all monuments found or set shall be carefully recorded upon all plats and the property courses and distances of all boundary lines shall be shown.
5. Exact location and width of streets and easements intersecting the boundary of the subdivision, if applicable.
6. Partition and lot boundary lines.
Numbering of lots as follows:
 - a. Lot number beginning with the number "1" and numbered consecutively in each block. Number sequence is to generally follow the same system as sections are numbered in a township.
7. Acreage in a parcel.
8. Street right-of-way center lines with dimensions to the nearest 1/100th of a foot, bearings or deflection angles, radii, arc, points of curvature, chord bearings and distances, and tangent bearings. Partition boundaries, lot boundaries, and street bearings shall be shown to the nearest 30 seconds.
9. The name and width of the streets being dedicated, if applicable, the width of any existing right-of-way, and the width on each side of the center line. In addition to the center line dimensions, the radius and central angle shall be indicated.
10. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not of record, there shall be written statement of the easement. The width of the easement, its length and bearing, and sufficient ties to be shown. IF the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.
11. Locations and widths of drainage channels, railroad rights of way, reserve strips at the end of stubbed streets or along the edge of partial width streets on the boundary of the partition.
12. Parcels to be dedicated shall be distinguished from lots intended for sale with acreage and alphabetical symbols for each parcel indicated.
13. Any conditions specified by the Commission or Council upon granting preliminary approval.
14. A statement of water rights noted on the partition plat.

(SECTION 32 – SUPPLEMENTAL DATA - Such supplemental data shall be submitted with the final map as is required by Section 17.)

SECTION 17 – SUPPLEMENTAL DATA

At the time of the submission of the final plat, the subdivider shall also submit to the following:

1. A preliminary title report issued not more than 30 days in advance by a recognized title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.
2. Sheets and drawings showing the following:
 - a. Traverse data including the coordinates of the boundary of the subdivision and ties to section corners, donation land claim corners, if any, or triangulation systems, and showing the error of closure, if any.
 - b. The computation of all distances, angles, and courses shown on the final plat.

- c. Ties to existing monuments, proposed monuments, adjacent subdivision, street corners, and state highway stationing.
 - d. Coordinates of all block corners and all street center points.
 - e. All areas subject to flooding.
3. A copy of any deed restrictions applicable to the subdivision.
 4. A list of all taxes and assessments on the first tract which have become a lien on the tract.
 5. A copy of the acknowledgement from the State Water Resources Department under ORS 97.122, if the person offering the subdivision or partition plat for filing indicates on the statement of water rights that a water right is appurtenant to the subdivision.

(SECTION 33 – TECHNICAL REVIEW - Review of the Final Map shall conform to the requirements of Section 18.)

SECTION 18 – TECHNICAL REVIEW

1. Upon receipt of the final plat and accompanying data, the staff of the City shall review the plat and pertinent documents to determine that it conforms to the approved tentative plan, and that there has been compliance with provisions of the law and of this ordinance.
2. An engineer or surveyor shall examine the plat for compliance with requirements for accuracy and completeness and shall collect such fees as are provided by state law. He may make checks in the field to verify that the map is sufficiently correct on the ground, and he may enter the property for this purpose. If he determines that there has not been full conformity, he shall advise the subdivider of the changes or additions that must be made and afford the subdivider an opportunity to make such changes or additions.
3. If the engineer or surveyor determines that full conformity has been made, he shall so certify and transmit the plat to the Planning Commission.

(SECTION 34 – FINAL APPROVAL OF THE PLANNING COMMISSION - Final approval of a Major Partition by the Planning Commission shall be pursuant to the provisions of Section 19.)

SECTION 19 – FINAL APPROVAL OF THE PLANNING COMMISSION

The Planning Commission shall examine the plat to determine whether it conforms with the tentative plan and to all changes permitted and all requirements imposed as a condition of its acceptance. If the Planning Commission does not approve the plat, it shall advise the subdivider of the changes or additions that must be made for this purpose, and shall afford him an opportunity to make the same. If the Planning Commission determines that the plat conforms to all requirements, it shall approve the same, but before certifying its approval thereon, it shall require the subdivider to file the agreement and bond, or make the deposit, required in Section 21 and 22, and when the agreement and bond have been filed and approved as prescribed, the Planning Commission’s approval shall be endorsed upon the plat by execution of the appropriate certificate or effect an acceptance by the public of the dedication of any street or other easement shown on the plat.

(SECTION 35 – AGREEMENT FOR IMPROVEMENTS AND BONDING - Prior to approval of the final map the developer shall complete improvements as proposed or enter into an agreement for improvements with a bond pursuant to the provisions of Sections 20 and 21)

SECTION 20 – AGREEMENT FOR IMPROVEMENTS

Before Planning Commission approval of a final plat, the subdivider shall either install required street improvements and repair existing streets and other existing public facilities damaged in the development of the property or execute and file with the City Building Official agreement between himself and the City, specifying the period within which required improvements and repairs shall be completed and providing that, if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense, together with court costs and attorney fees necessary to collect said amounts from the land divider. The agreement shall also provide for the construction of the required improvements in units and for an extension of time under the conditions therein specified.

SECTION 21 – BOND

1. The subdivider shall file with the agreement, to assure his full and faithful performance thereof, one of the following approved by the Planning Commission.
 - a. A personal bond cosigned by at least one additional person who shall not be related to the subdivider by consanguinity. The subdivider and cosigner shall submit evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of the ability of the subdivider to proceed in accordance with the agreement.
 - b. Cash.
2. The assurance of full and faithful performance shall be for a sum approved by the Planning Commission sufficient to cover the cost of the improvements, engineering, inspection, and incidental expenses, and to cover replacement and repair of existing streets and other public improvements damaged in the development of the subdivision and must be approved by the city attorney as to form.
3. In the event the subdivider fails to complete all improvement work in accordance with the provisions of this ordinance, and the city has to complete the same, or if the subdivider fails to reimburse the city for the cost of inspections, engineering, and incidental expenses, and to cover cost of replacement and repair of existing street and other improvements damaged in the development of the subdivision, the city shall call on the surety for reimbursement, or shall appropriate from any cash deposit funds for reimbursements. The city shall release the remainder of the bond or cash deposit if the amount of surety bond or cash deposit is less than the cost and expenses incurred by the city, the subdivider shall be liable for the difference.



May 25, 2022

Chad Sweet
City Administrator
City of Gearhart
698 Pacific Way
Gearhart, Ore. 97138

Re: Item IV. Decision Based on the findings herein, on April 14, 2022, the Gearhart Planning Commission approved the Tentative Partition Plat, City file #22-02P Gronmark;

Developer/Owner

James Gronmark
4911 Gronmark Ln.
Gearhart, Ore. 97138

Land Description

4915 Gronmark Ln.,
Gearhart, Ore. 97138, Taxlot:71034CA02105
Clatsop County Taxlot IDs: 71034CA02105 & 71034CA0200

Mr. Sweet,

Please see our comments to the conditions of approval for the aforementioned James H. Gronmark Partition plat application:

1. Within one year of this tentative approval, the Final Partition Plat and Gronmark Lane Roadway Access Agreement shall be submitted to the City for Planning Commission for final approval. If necessary, the applicant may request a one-year extension of the approval.

Applicant is submitting this application for approval on May 26, 2022.



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2. The Gearhart Fire Chief found concerns with the proposal because the driveway to Parcel 2 will be on a grade that exceeds 5%. The final partition plat shall be modified to illustrate an asphalted driveway per fire code requirements and Gearhart Fire Chief approval.

Applicant, per the Fire Chief's recommendation, installed a concrete pad south of the existing driveway on proposed Parcel 1. See attached photo on sheet 5.

3. The applicant indicates that the east end parcel will need to be leveled to accommodate a dwelling and septic drain field. The City finds this may need to be engineered in advance to assure the NCLC property is not negatively affected, as determined by the City Building Official before final plat submittal.

Applicant will consult with a Civil Engineer if a grading and drainage plan is required.

4. Utility improvements: The applicant shall determine if the existing water service to Parcel 1 is in a private utility easement across tax lot 2102, and whether that line should be in a reciprocal easement. Existing culvert improvements over the wetland where new asphalt driveway improvements are made for Parcels 1 and 2 may be required as determined by the City Public Works Department before final plat submittal.

The applicant will draft an appropriate water line easement when necessary. The applicant does not intend to make any improvements to the roadway over the wetlands. The two existing culverts are not to be modified.

No building permit may be issued until all required improvements are in place and approved by the City Manager or designee, or otherwise bonded, in conformance with the provisions of the Subdivision Ordinance.

- a) Improvements shall not be commenced until plans have been approved by the city. Some plans may be required prior to approval by the Planning Commission.
- b) Improvement work shall not be commenced until the City has been notified.
- c) All required improvements shall be constructed under the inspection and to the satisfaction of the City.
- d) All underground utilities shall be constructed prior to surfacing of the streets.
- e) A map showing all public improvements as built shall be filed with the Building Official upon completion of the improvements.
- f) Damage to public streets related to the development shall be restored to existing conditions before the damage.

Per a-f, applicant will ensure that these improvements are in place prior to submitting a building permit application.



5. If more than 5 trees are planned to be removed, the applicant shall first obtain a tree removal permit from the City. Except for removal of noxious weeds as determined by City staff, removal of more than 1,000 SF of vegetation or excavation of more than 50 cubic yards on Parcel 1 shall first require a tree removal, excavation and fill permit from the City Administrator.

Applicant does not intend to remove any existing trees.

6. The building permit shall restrict the use of herbicides, pesticides and other toxic materials, as well as dumping or leaching of debris or other materials into protected wetland areas.

Applicant does not intend to dump any herbicides, pesticides, and other toxic materials into the existing wetlands.

7. Surveyed monuments shall be set according to ORS 92.060 and city specifications outlined in Section 49 - Monuments. The surveyed plat of the partition shall be set according to ORS 92.060 and city specifications outlined in Section 50 - Survey Requirements.

Applicant's surveyor will set monuments according to ORS 92.060. He intends to set a 5/8" x30" rebar with a blue plastic cap stamped with his business name.

8. As applicable, the following Subdivision Ordinance Section 48 standards shall be met.
 - a) Structures necessary for drainage, access and public safety shall be installed.

All necessary structures have already been installed.

- b) Storm water facilities or ground water recharge facilities shall be installed per city specifications.

The city has not specified any ground water recharge facilities for this project.

- c) Water mains and fire hydrants shall be installed per city specifications.

The city has not specified any water services or fire hydrants for this project.

- d) Underground utilities shall be installed.

The applicant does not intend to install any new utilities above ground, all utilities shall be trenched.



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- e) Street lighting per city specifications shall be installed.

City has not specified any street lighting installation.

- f) Street signs shall be installed per city specifications.

Applicant has installed a "No Parking Fire Lane" sign at the concrete

- g) If necessary, a drainage easement shall be installed for the safety of the adjoining property.

City has not specified the need for a drainage easement.

- h) Damage to Gronmark Lane related to the development should be restored to existing conditions before the damage, which should be denoted on the building permits.

Applicant intends to restore Gronmark Lane to its current conditions post construction.

Best Regards,

Michael G. Magyar PLS



Looking southwest toward the wetland vegetation:

Photo showing a 38-foot deep (west side) by 20-foot wide concrete pad at the bottom of the shared driveway on Parcel 1. The pad was constructed per Gearhart Fire Chief's recommendation and per Item 2 and 8f above. The ingress/egress easement and maintenance agreement has been extended to cover the both the westerly 50 feet of Parcel 1 and Parcel 2.

