

## Regular Meeting Minutes December 13, 2023

Chairman Saylor called the regular meeting to order at 7:00PM. Present were Commissioners Fialka, Guerrero, Caplinger, Doherty, Hamm, and Kirkpatrick. Commissioners Collins and Sargent were excused. Youth Advisors Sarahi Gutierrez and Catherine Doherty were present. Staff in attendance included Planning Director Clint Spencer, City Attorney Richard Tovey, and Planning Assistant Heather La Beau.

#### **Elect Chair & Vice-Chair**

Commissioner Hamm nominated Commissioner Fialka for the position of Planning Commission Chairman to begin January of 2024. There were no other nominations. Roll Call. Motion passed 6-1.

Commissioner Caplinger moved to nominate Commissioner Doherty for Vice-Chair. Commissioner Doherty in turn nominated Commissioner Caplinger for the position. Commissioner Hamm seconded the nomination of Commissioner Caplinger for Vice-Chair to begin January 2024. Roll Call. Motion passed unanimously.

#### **Minutes**

Commissioner Fialka moved, and Commissioner Caplinger seconded to approve the minutes of the October 11, 2023, regular meeting. Motion passed.

#### **Youth Advisory Council**

Chairman Saylor thanked the youth advisors for attending and asked Youth Advisor Doherty to introduce herself as this is her first meeting with the planning commission.

# <u>Major Variance & Subdivision Upland Meadows MonteVista Homes 4N2802A TL 500- 811 E Theater Lane</u>

Te Hermiston Planning Commission is holding a public hearing to consider a request for a major variance and subdivision plat for property located at 811 E Theater Lane and described as 4N2802A tax Lot 500. The property is zoned Medium High Density Residential (R-3) and is owned by the Hermiston Irrigation District. The applicant, MonteVista Homes LLC is requesting variances from Sections 154.18 and 154.19 (C) of the Hermiston Code of Ordinances which establishes the maximum block length and minimum lot width for lots in residential zones. The applicant requests 19 lots be approved with widths between 55 and 58.96 feet and four blocks with a length of approximately 800 feet. The planning commission will also consider the preliminary plat that proposes to create a 261-lot subdivision.

Commissioner Kirkpatrick declared a conflict of interest as she is the Hermiston Irrigation District Manager (property owner) and stepped down from the dais.

Chairman Saylor opened the hearing at 7:08 and read the hearing guidelines.

Planning Director Spencer presented the staff report with the aid of PowerPoint slides (attached). The hearing will consider both variances and the subdivision plat. This increases the noticing requirements and the evidentiary burden.

Discussion included various street layout options, points of pedestrian/vehicle/fire access, and the 60-footwide flag at the northwest corner of the property.

#### **Testimony**

Luke Pickerill 389 W Scalehouse Ct Suite 110 Bend OR 97702- Mr. Pickerill, the owner of MonteVista Homes, shared a PowerPoint presentation (attached). Mr. Pickerill described the topographical features of



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the property and how it affects the proposed community. MonteVista Homes would like to donate the 60' wide flag to the school district while still providing pedestrian connectivity to the school. He stated the block length variance is necessary due to the alignment of NE 9<sup>th</sup> Place and the need to match grade throughout the development. Affordability is always a driver of the requests. Conforming to the block length would create an expensive street and reduce the number of lots. The community is walkable, with end lot driveways facing the east/west streets. The lot width reduction for the 19 lots is based on affordability. The Hope home is 45' wide and will fit on a 55' wide lot and meet the setback requirements of the R-3 zone. Three car garages and an RV pad are options on their home models and Luke estimates 50 to 75% of the homes built will opt to have a three-car garage. This is the same home plan built in Theater Park on lots 55' in width. Mr. Pickerill detailed the additional expenses of 2.5 feet of additional side yard.

In response to commissioner questions, Mr. Pickerill stated the subdivision is proposed to have on-street parking throughout and in his experience flag accesses are not well maintained and become unused. Pedestrians leaving the subdivision heading west can cross the street at 9<sup>th</sup> Place using a crossing beacon and use the existing sidewalk installed as part of the Loma Vista development.

Doug White 2098 NE 8<sup>th</sup> St- Mr. White owns property to the west of the proposed subdivision and requested clarification regarding sidewalk and vehicular access.

Commissioners discussed at length the 60' wide flag access and the discussions between the school district and developer. Ownership, installation, maintenance, fire access, pedestrian safety, and security were among the concerns. Commissioners recommend NE 9th Place be designated as No Parking.

Theater Park and Legacy are subdivisions with residential lots 50' wide. The narrower lot width aids the ability to keep homes more affordable, a prior goal of MonteVista Homes.

There was consensus that the longer block length is acceptable with the pedestrian access to the school at the northwest corner of the property.

Erica Nelson 389 W Scalehouse Ct Suite 110 Bend OR 97702- Ms. Nelson is an engineer with MonteVista Homes. The topographic and geometry consideration is key to the variance requests. The grade from south to north and the wider width needed on the east and west corner lots to allow for the high retaining walls contributes to the need for the variances.

The applicant was directed to develop more substantial Findings of Fact for both variances and determine a solution for the northeast corner access. Commissioner Doherty moved, and Commissioner Fialka seconded to continue the hearing to the January Planning Commission meeting. Motion passed.

Commissioner Kirkpatrick returned to the dais.

# Replat Final Plat- CJ Evans Family Investments LLC 4N2824BB Tax Lots 800 & 900- 16 & 18 SE Campbell Drive

Planning Director Spencer presented the staff report. The replat is necessary to vacate the utility easement along the north/south lot line to allow the proposed building to be constructed over the area.

Findings of Fact
Design Standards



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#### §154.15 Relation to Adjoining Street System.

The development is bounded by SE Campbell Drive and SE 10<sup>th</sup> St. No new streets are proposed as part of this replat. This criterion is not applicable to the decision to accept the plat.

#### §154.16 Street and Alley Width.

No new streets or alleys are proposed as part of the plat. The property is currently serviced by SE Campbell Drive and SE 10<sup>th</sup> St. No new streets are proposed as part of this replat. This criterion is not applicable to the decision to accept the plat.

#### §154.17 Easements.

There are multiple easements noted on the plat. The surveyor's narrative includes reference to an additional easement that is not depicted graphically on the plat. The existing easements are for utility purposes.

No new easements are proposed as part of this replat. The easement common to the existing Lots 8 and 9, Block 1, Highlander Center will be vacated as a result of this replat.

#### §154.18 Blocks.

No new streets are proposed or required. This criterion is not applicable to this decision to accept the plat.

#### §154.19 Lots.

The new lot will be approximately 2.83 acres in size. There are no lot size or dimensional standards in the C-2 or M-1 zones. The lot is of adequate size, width, and depth to provide a viable commercial and industrial site.

#### §154.20 Character of Development.

The property is currently vacant and used as a laydown yard/parking area for the warehouse on the lot directly to the south. Future development on the property as the business expands is anticipated. The lot is generally flat and well suited for industrial development.

#### §154.21 Parks, School Sites and the Like.

The comprehensive plan and parks master plan do not indicate a need for any parks or schools in the vicinity of the proposed replat.

#### §154.22 Access Management

The existing access point will remain. This criterion is not applicable to the decision to accept the plat.

#### §154.35 Preliminary Plat Requirements



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- (A) Whenever any person desires to subdivide land into building lots and to dedicate streets, alleys or land for public use, the person shall submit four copies of the preliminary sketch plat conforming to the requirements of 154.15 through 154.21 to the Planning Commission before submission of the final plat. **The applicant has met the plat submission requirement.**
- (B) The preliminary plat must be filed with the City Planner at least 30 days prior to the meeting of the Planning Commission. Minor partitions containing three lots or less may be exempted from the provisions of this section. **The applicant has met the plat submission date on October 30, 2023.**
- (C) The preliminary plat shall show:
- (1) The location of present property lines, section lines and the lines of incorporated areas, streets, buildings, water courses, tree masses and other existing features within the area to be subdivided and similar information regarding existing conditions on land immediately adjacent thereto; **Shown as required.**
- (2) The proposed location and width of streets, alleys, lots, building and setback lines and easements; **Shown as required.**
- (3) Existing sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sewer or outlet are to be indicated in a general way upon the plat; **Existing infrastructure is not shown on the preliminary plat.**
- (4) The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract; **Shown as required.**
- (5) The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land; **Shown as required.**
- (6) Contours referred to a City Engineer's bench mark with intervals sufficient to determine the character and topography of the land to be subdivided, but in no case shall the intervals be more than one foot; Contours are not shown on the preliminary plat.
- (7) North point, scale and date; Shown as required.
- (8) Grades and profiles of streets and plans or written and signed statements regarding the grades of proposed streets; and the width and type of pavement, location, size and type of sanitary sewer or other sewage disposal facilities; water mains and other utilities; facilities for storm water drainage and other proposed improvements such as sidewalks, planting and parks, and any grading of individual lots; **Not shown on preliminary plat.**
- (9) All the above information unless waived by the Planning Commission. Staff recommends the Planning Commission waive (3), (6), and (8) above. Review of civil drawings including infrastructure and drainage are required prior to development of the property.



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(D) After the preliminary plat has been submitted to the Planning Commission in accordance with these regulations, a final plat, together with copies of any deed restrictions, shall be prepared and submitted to the City Planner. The plat shall be filed in the office of the City Planner at least 14 days prior to the meeting of the Planning Commission at which approval thereof is asked. This final plat shall be submitted and prepared in accordance with the provisions of 154.45 through 154.46 hereof. **The applicant has met this requirement.** 

#### Minimum Improvements Required

#### §154.60 Permanent Markers

Permanent markers shall be set as shown on the final plat in accordance with ORS 92.050 through 92.080.

#### 154.61 General Improvements

SE Campbell Drive is a paved city street improved with curb and gutter. SE 10<sup>th</sup> St is a paved city street with no further improvements. At such time that construction occurs on each parcel which triggers the development standards of 157.163 of the Hermiston Code of Ordinances, street improvements are required along that parcel's frontages.

#### §154.62 Water Lines

A water line is available in SE 10th St.

#### §154.63 Sanitary Sewer System

A sewer line is available in SE 10th St.

Final Plat

Per §154.46 of the Hermiston Code of Ordinances, the final plat shall show:

- (A) The boundary lines of the area being subdivided, with accurate distances and bearings. **Shown** as required
- (B) The lines of all proposed streets and alleys with their width and names. Shown as required
- (C) The accurate outline of any portions of the property intended to be dedicated or granted for public use. **Shown as required**
- (D) The line of departure of one street from another. Shown as required
- (E) The lines of all adjoining property and the lines of adjoining streets and alleys with their widths and names. **Shown as required**
- (F) All lot lines together with an identification system for all lots and blocks. Shown as required



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- (G) The location of all building lines and easements provided for public use, services or utilities. **Shown** as required
- (H) All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/10 of a foot. **Shown as required**
- (I) All necessary curve data. Shown as required
- (J) The location of all survey monuments and bench marks together with their descriptions. **Shown** as required
- (K) The name of the subdivision, the scale of the plat, points of the compass, and the name of the owners or subdivider. **Shown as required**
- (L) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown. **Shown as required.**
- (M) Private restrictions and trusteeships and their periods of existence. Should these restrictions or trusteeships be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat. **No restrictions are proposed and none are referenced on the plat**
- (N) Acknowledgment of the owner or owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon, and the granting of easements required. **Shown as required.**
- (O) Certificates of approval for endorsement by the city council and certificate indicating its submission to the planning commission, together with approval for endorsement by other local, county and/or state authority as required by Oregon statutes. **Shown as required.**

#### **Chapter 157: Zoning**

§157.041 Outlying Commercial Zone (C-2)/ §157.055 Light Industrial Zone (M-1)

Tax Lots 4N 28 24BB Tax Lot 800 and 4N 28 24BB Tax Lot 900 are each zoned C-2/M-1. There is no minimum or maximum lot size in this zone. The proposed lot is 2.83 acres in size.

#### **Conditions of Approval**

- At such time that construction occurs on each parcel which triggers the development standards of 157.163 of the Hermiston Code of Ordinances, street improvements are required along that parcel's frontage on SE Campbell Drive.
- 2. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to obtaining city signature on the plat.



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After a clarifying discussion of existing easements, Commissioner Hamm moved, and Commissioner Doherty seconded to make the project file a part of the record. Motion passed. Commissioner Doherty moved and Commissioner Hamm seconded to adopt the Findings of Fact. Motion passed. Commissioner Fialka moved, and Commissioner Hamm seconded to impose the Conditions of Approval. Motion passed. Commissioner Fialka moved, and Commissioner Hamm seconded to approve the final plat subject to the conditions of approval. Motion passed.

Chairman Saylor called for a break at 8:52pm and reconvened the meeting at 8:58pm.

#### Parking Amendments Work Session

Planning Director Spencer reviewed the changes proposed during the first work session.

Preference was expressed to maintain a parking standard and review variances on specific cases as opposed to creating a change of use incentive.

Compact parking spaces are not something to consider. Bicycle parking requirement should be capped at 20. Additional restaurant categories can be added to accommodate different levels of parking requirements.

#### **Planner Comments and Unscheduled Communication**

Planning Director Spencer replied to a question that the former KFC property is being redeveloped to again be a KFC restaurant with drive-thru window.

The January meeting will include an annexation and comprehensive plan map amendment for property east of SE 10<sup>th</sup> St.

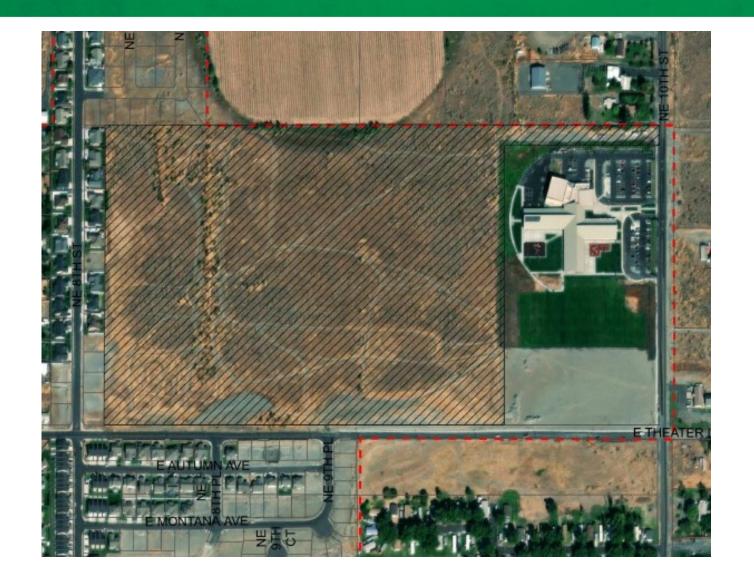
#### **Adjournment**

Chairman Saylor adjourned the meeting at 9:45PM.

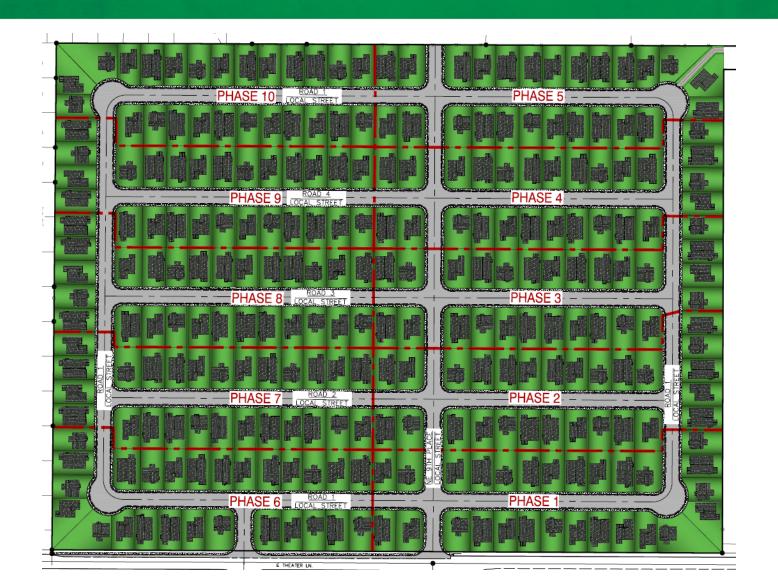




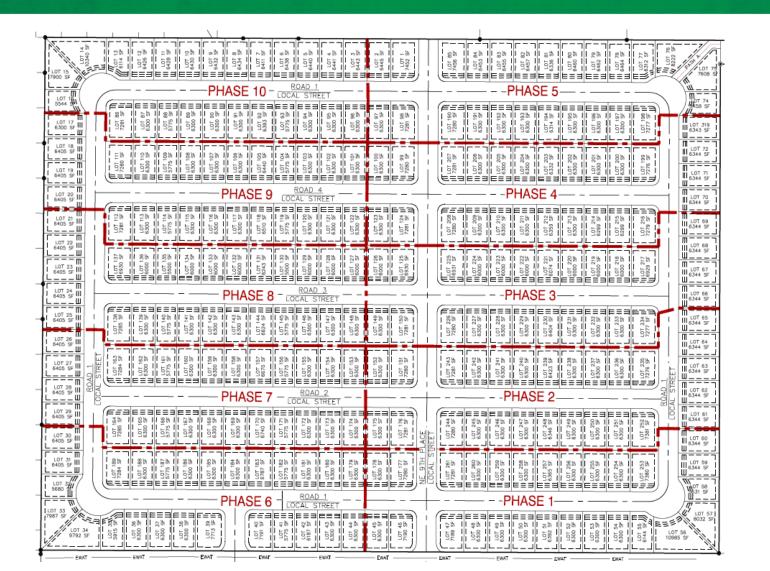




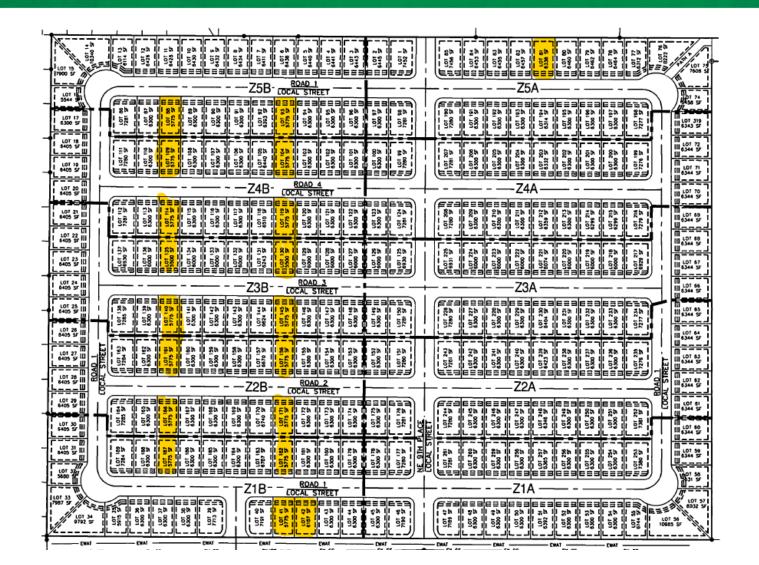










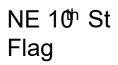






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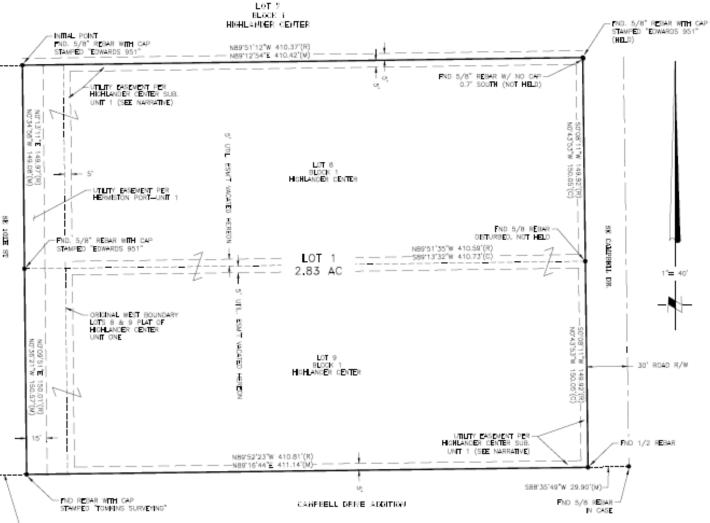






# CJ Evans Family Investments Replat















# MonteVista Homes

# is a thriving, award winning home builder and land development company.

- We are a 2nd generation family owned and operated home builder based in Oregon. We build multi-generational homes designed for any new home buyer.
- The initial company was established in 1989 and Luke Pickerill took sole ownership of the company in 2014. Since then, the company has grown significantly year over year while maintaining industry leading margins.
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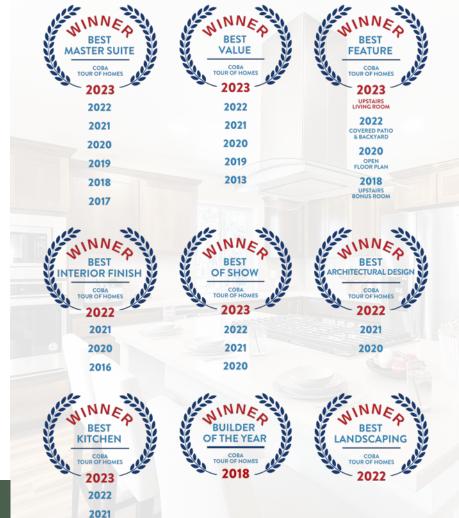


# We build award winning homes and successful new home communities.

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- We are dedicated to building authentic, approachable homes. Quality Elevated. Personalized Choices enable our buyers to experience a remarkable new home journey.
- Our even flow processes & curated customization ensure we deliver homes on-time, on budget and ever beautiful.



# OUR COMMUNITIES

















2014 North Crest South Crest 2014 Eagle's Landing 2014 Sundance Meadows 2015 Angus Acres 2015 Viewpoint Ridge 2015 Highland Summit 6 & 7 2016 Boyd Crossing 2016 Desert Shadows







27









2017 Eastridge



2017 Forest Creek 2018 27 Elm 2018 Highland Summit 8 & 9 2019 Mirage

2019 Red Hills Estates 2020 Theater Park

















2020 Dry Canyon 2020 Willowbrook 2021 Legacy 2021 Acapella 2021 Moon Mountain 2022 McClannahan Summit 2023 Canyon Trails 2023 Feather Ridge



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## **CURATED COLOR PACKAGES**

Professionally designed and curated interior and exterior design packages lead with latest design trends. Focusing on 'Unique' and 'Individual', these cutting-edge, on-trend color packages commingle, cultivating a harmonic, elegant, and balanced ambience.

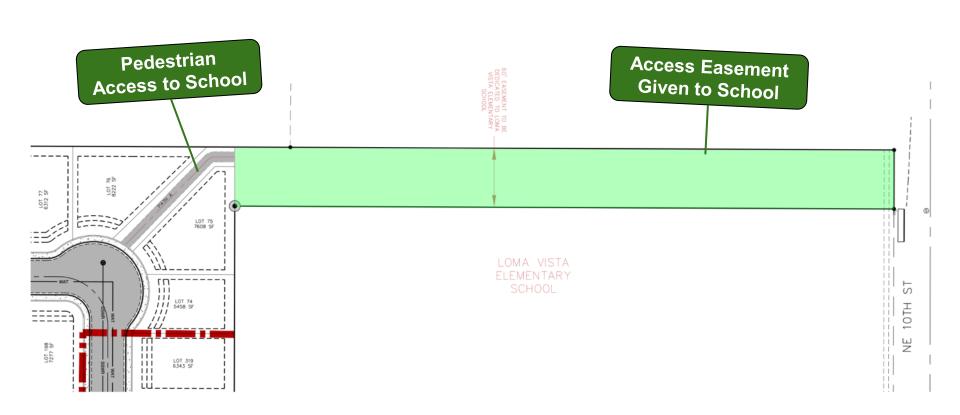








# **SCHOOL CONNECTIVITY**



# **BLOCK LENGTH**

# We are proposing a variance to block length for the following reasons:

- 1. 9th Street Connection
- 2. Property Size / Shape
- 3. Property Topography
- 4. Affordability is Key!!!!
- 5. No Trails, a Maintenance Nightmare

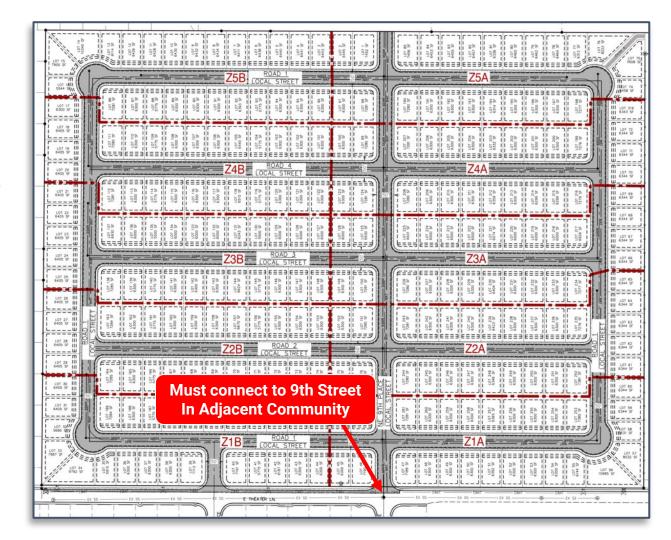




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## LOT WIDTH

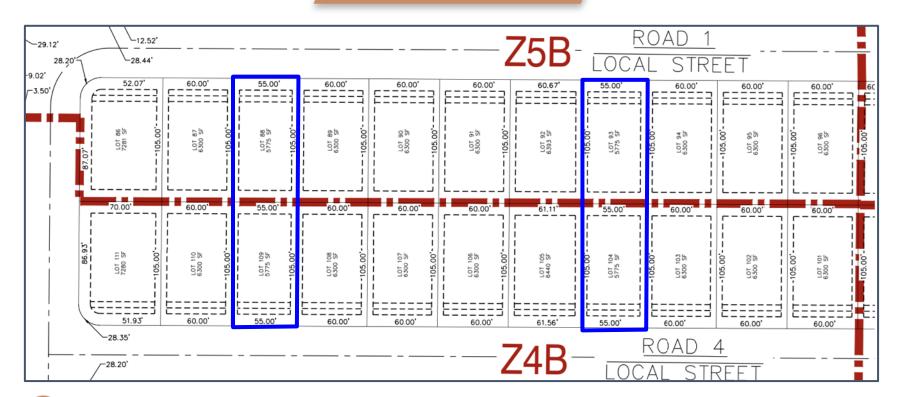
# 5-ft reduction of the 60-ft lot width requirement, on 19 lots.

- 1. Affordability is Key!!!
- 2. 95% of MVH home designs are 40' wide
- 3. Hope Floor Plan is 45' wide (fits a 55' lot)
  - a. 1906 Square Feet
  - b. 4 Bedroom / 2 Bath
  - c. 3 Car Garage
  - d. Additional Off Street Parking





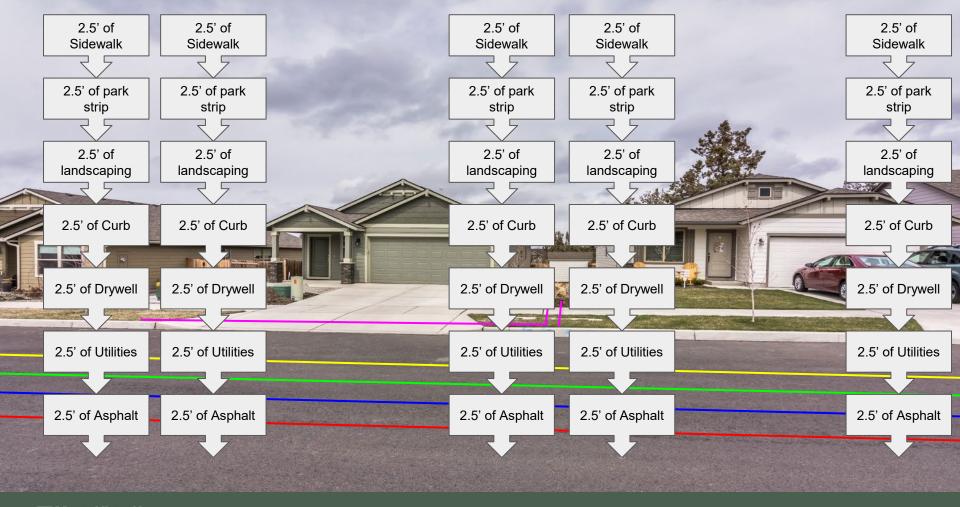
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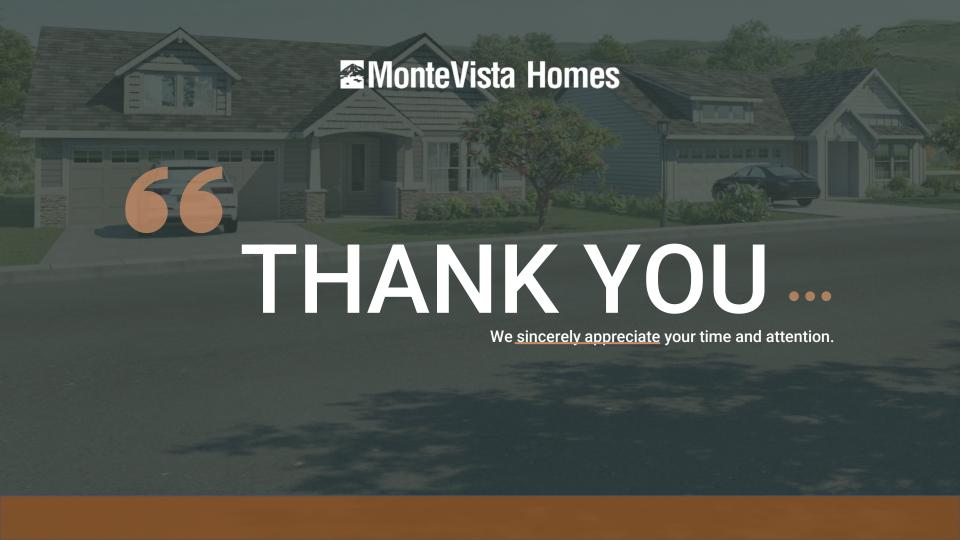












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2019 Red Hills Estates













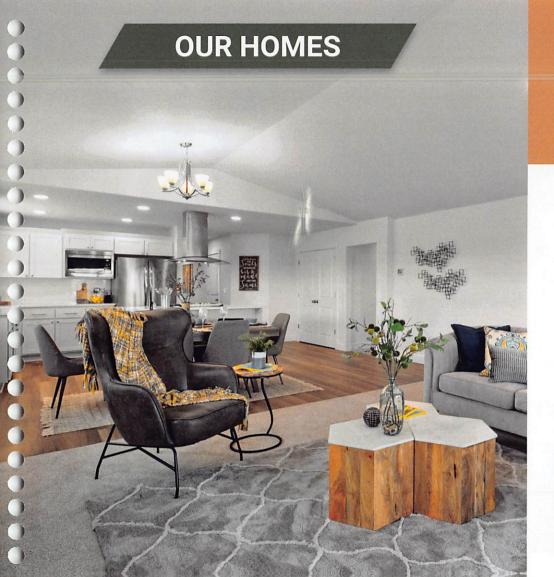






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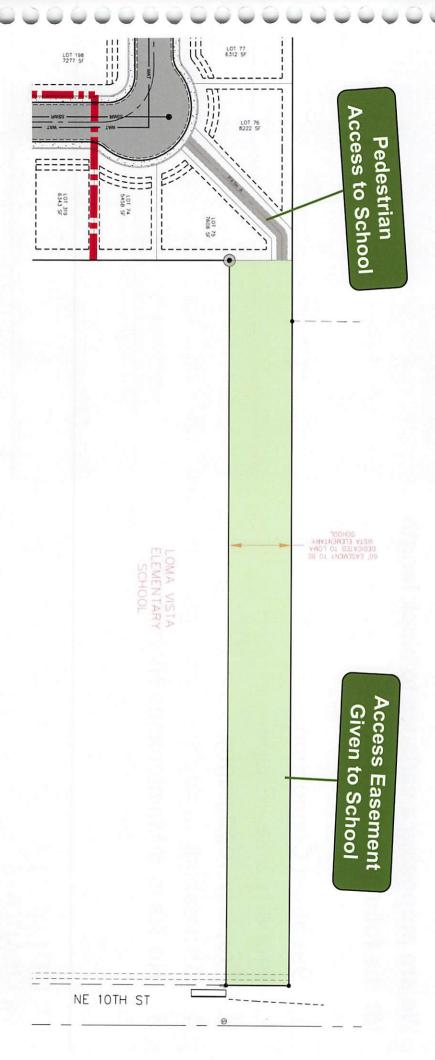








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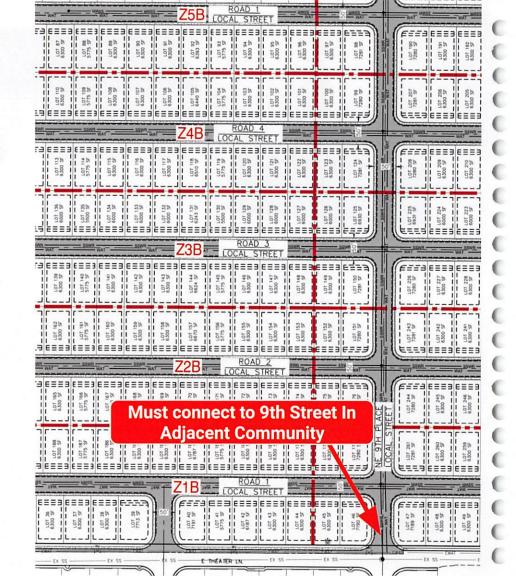


### **BLOCK LENGTH**

# We are proposing a variance to block length for the following reasons:

- 9th Street Connection
- 2. Property Size / Shape
- Property Topography
- Affordability is Key!!!!
- 5. No Trails, a Maintenance Nightmare

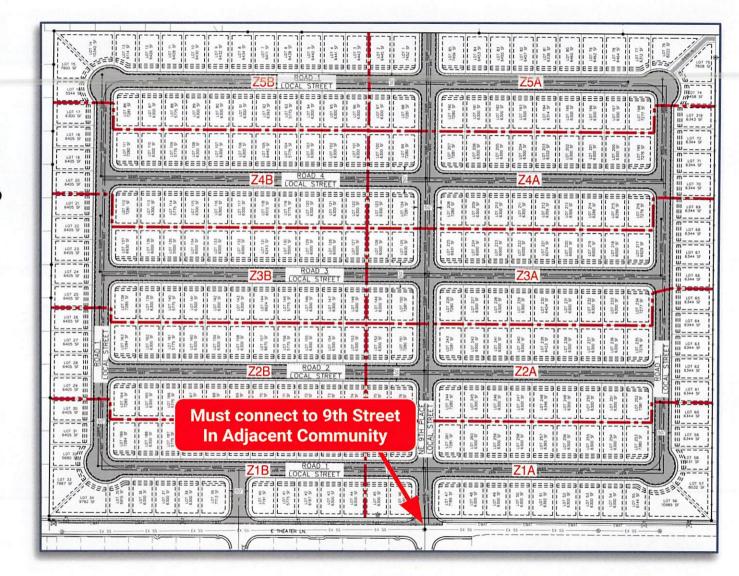




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### **LOT WIDTH**

## 5-ft reduction of the 60-ft lot width requirement, on 19 lots.

- Affordability is Key!!!
- 95% of MVH home designs are 40' wide
- Hope Floor Plan is 45' wide (fits a 55' lot)
  - 1906 Square Feet
  - 4 Bedroom / 2 Bath
  - c. 3 Car Garage
  - Additional Off Street Parking





#### HOPE TUV

A BED 2 BATH 1,906 SQ FT U - TRADITIONAL V - FARMHOUSE STANDARD FEATURES

- Spacious Single Story Layout with 4
- Quartz Countertops Throughout Home

#### Optional features are plan or lot specific

- Kitchen Island with Range & Hood
- Covered Rear or Side Patio
- Dining and Great Room with Vaulted Ceiling Coffered Ceiling in Primary Suite
- Primary Bath Closet Freestanding Soaking Tub
- Double Glass Doors for Bedroom 4/Den
- · Built-in Bench
- Additional Bedroom Lighting
- · Air Conditioning







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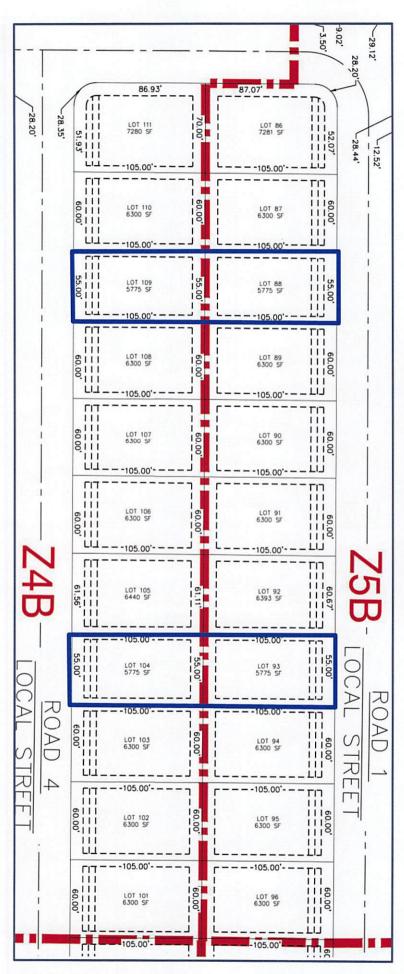
• 3 Car garage

· A/C Pre-Wired

· Covered Front Porch

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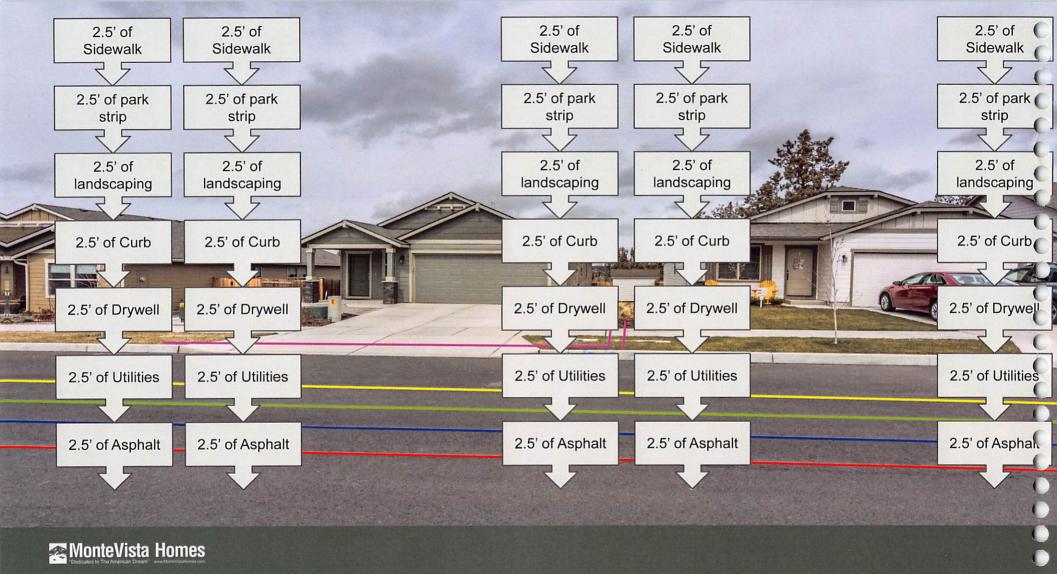












## **PLACE MAKES A DIFFERENCE!**

**Place triggers action.** People's love of place and sense of place leads to a desire to fight for their place. The impact on public health, civic pride and economic well-being is imperative to building thriving communities.

Place is also unique. Every community, large or small, has a distinctive character. Natural and man-made physical elements, social makeup, and combinations of public and private institutions both create and constrain opportunities for expanding and maintaining quality of life.

Upland Meadows will be a place people will choose to call "home".









