

## **HERMISTON PLANNING COMMISSION**

### **Regular Meeting**

**December 12, 2018**

Chairman Saylor called the meeting to order at 7:00PM. Commissioners Frederic, Doherty, Hamm, Sargent, Erz, Rebman, Caplinger, and Fialka were present. Staff in attendance were City Planner Clinton Spencer and Heather La Beau.

### **Minutes**

Minutes of the November 14, 2018 planning commission meeting were approved.

### **Hearing**

City Planner Spencer stated the application for the Goal 11 Exception has been withdrawn.

### **Final Plat-Desert Sky Phase 7**

City Planner Spencer presented the staff report. Desert Sky Phase 7 includes thirteen R-1 lots with twelve new housing units and one oversized lot for future development. The turnaround easement as shown on the original preliminary plat has been removed. A new easement has been obtained from the neighboring property owner to the south.

### **Conditions of Approval and Findings of Fact**

#### Conditions of Preliminary Plat Approval

1. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. The City of Hermiston will not sign the final plat until the applicant obtains certification from the Hermiston Irrigation District.  
Finding: The applicant shall meet this condition of approval. The necessary signature block for the Irrigation District is included on the final plat.
2. The west side of S First Street adjacent to each phase shall be improved to minor collector standards at the time each connection is made to S First Street. Street improvements to S First Street shall align with existing curb and gutter to the north of the development.  
Finding: The applicant has met this condition of approval during earlier phases of construction. This condition does not apply to phase 7.
3. Applicant must sign an improvement agreement and shall install grading, storm drainage, curb and gutter, sidewalks, street paving, and all service utilities for this development. All improvements for each phase shall comply with city standards and specifications and shall receive final approval from the city engineer.  
Finding: Improvements are still under construction. Final approval of improvements must be obtained prior to the city signing the plat.
4. Streetlights must be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.  
Finding: The applicant has met this condition of approval.
5. Applicant shall comply with all provisions of §92.12 of the Hermiston Code of Ordinances relating to the control of blowing dust during all phases of construction.  
Finding: The applicant has met this condition of approval in previous phases and shall continue to comply in all subsequent phases.

6. The applicant shall place a notation on the final plat stating that Lots 1, 6 and 28 shall not establish driveways on S First Street.  
Finding: This condition is not applicable to Phase 7.
7. The new connecting streets designated "C" and "D" on the preliminary plat shall be designated with the SW prefix and designated as numbered streets or places based upon the addressing grid. The connecting street designated as "E" on the preliminary plat shall be designated with the W prefix and designated as a named Avenue on the final plat. The semicircular drives designated as "A" and "B" on the preliminary plat shall be designated with the SW prefix and be designated as named Drives on the final plat.  
Finding: "D" Street has been designated as W Condon Ave. Since the street runs in a straight east/west direction, when addresses were assigned for Phase 5, staff determined a numbered street was confusing and required the street to be designated as an avenue instead.
8. The applicant shall be responsible for protecting groundwater flows through the subdivision and insuring all housing is protected from possible groundwater intrusions.  
Finding: The applicant has met this condition of approval in previous phases and shall continue to comply in all subsequent phases.
9. The applicant shall be responsible for costs associated with modification of the Moore Avenue booster station pump sequencing.  
Finding: The applicant will meet this condition of approval when development elevations are sufficient to impact water pressure.

#### *§154.46 Final Plat Requirements*

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;
- (B) The lines of all proposed streets and alleys with their width and names;
- (C) The accurate outline of any portions of the property intended to be dedicated or granted for public use;
- (D) The line of departure of one street from another;
- (E) The lines of all adjoining property and the lines of adjoining streets and alleys with their widths and names;
- (F) All lot lines together with an identification system for all lots and blocks;
- (G) The location of all building lines and easements provided for public use, services or utilities;
- (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;
- (I) All necessary curve data;
- (J) The location of all survey monuments and bench marks together with their descriptions;
- (K) The name of the subdivision, the scale of the plat, points of the compass, and the name of owners or subdivider;
- (L) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown;
- (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;

(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; and

(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.

Finding: All items required for the final plat are shown on the final plat.

Commissioner Erz moved and Commissioner Hamm seconded to approve the final plat with the conditions listed. Motion passed unanimously.

### **Minor Partition- Hull 445 W Elm Ave**

City Planner Spencer presented the staff report. The property is a 3.5 acre industrial lot. The preliminary plat proposes parcel 1 having 50 feet of W Elm Ave frontage and parcel 2 having no frontage.

Commissioners considered the creation of two flag lots each having 25 feet of Elm Ave frontage to avoid future access issues. The commissioners discussed options for access to Parcel 2 including new and existing easements, one or two flag lots, and the creation of new streets.

### **Findings of Fact**

#### **Design Standards**

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

The property is bordered by W Elm Avenue. W Elm Ave is a state highway (OR 207) adjacent to this site. All access is controlled by ODOT. The property does not access any other public streets. It may be possible to access W Beebe, W Beech, W Cherry, and W Dogwood Avenues in the future if access easements are obtained across a narrow strip of land which blocks access to these roads. However, access easements are not proposed as part of this partition.

##### **§154.16 Street and Alley Width.**

No streets or alleys are proposed as part of the partition. The property is serviced by W Elm Ave which has a right-of-way width of 70 feet.

##### **§154.17 Easements.**

There are multiple existing easements on the property. Parcel 1 has direct access to W Elm Ave. Parcel 2 is serviced by an existing 25-foot easement across Parcel 1. This easement also provides access for Tax Lot 203 and Tax Lot 204. The easements are shown on the plat. The easement across Parcel 1 benefitting all parcels shall be widened to 50'.

##### **§154.18 Blocks.**

No additional block access is required.

##### **§154.19 Lots.**

The entire parcel has 50 feet of frontage on W Elm Ave to determine the lot width but the parcels have sufficient width and depth at the building lines to meet the minimum 60-foot lot width and 80-foot lot depth standards.

##### **§154.20 Character of Development.**

The property is presently in industrial use. The applicant proposes the partition to create a separate parcel for further 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 partition.

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

Sidewalk shall be installed along the W Elm Ave frontage of each parcel at the time of development on either Parcel.

§154.62 Water Lines

Water is available to all parcels in W Elm Ave and N First Place.

§154.63 Sanitary Sewer System.

Sewer is available to all lands in W Beech Ave.

Preliminary Plat

Staff has reviewed the preliminary plat and determined the plat is prepared in accordance with §154.35(C) of the Hermiston Code of Ordinances. All of the required elements are included in the preliminary plat as follows:

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;
2. The proposed location and width of streets, alleys, lots, building and setback lines and easements;
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;
4. The title under which the proposed subdivision is to be recorded and the name of the subdivider platting the tract;
5. The names and adjoining boundaries of all adjoining subdivisions and the names of recorded owners of adjoining parcels of unsubdivided land;
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;
7. North point, scale and date;
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; and
9. All the above information unless waived by the Planning Commission.

**Chapter 157: Zoning****§157.055 Light Industrial Zone (M-1)**

There is no minimum or maximum lot size in this zone. Parcel 1 is 1.47 acres. Parcel 2 is 2.02 acres. Both parcels are of sufficient size to permit industrial development. Uses permitted in the M-1 zone are listed in §157.055(A) of the Hermiston Code of Ordinances.

**Conditions of Approval**

1. The applicant shall prepare a final plat containing the required elements of 154.46 of the Hermiston Code of Ordinances.
2. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to obtaining city signature on the final plat.
3. Sidewalk shall be installed along the W Elm Ave frontage of both parcels at such time that development occurs on either parcel.
4. The flag shall be paved to a width of at least 36' at such time that development occurs on Parcel 1. A reciprocal easement 50' in width shall be dedicated across Parcel 1 to the north boundary of Parcel 2.

Commissioner Hamm moved and Commissioner Fialka seconded to approve the amended findings and conditions of approval. Motion passed unanimously.

Commissioner Hamm moved and Commissioner Erz seconded to approve the preliminary plat and direct the applicant to move to the final plat subject to the approval conditions. Motion passed unanimously.

**Planner Comments and Unscheduled Communications**

The January meeting will include the annual review of the EOTEC parking variance. Commissioners briefly discussed the proposed RV park location.

It was mentioned that some neighbors did not feel heard at the meeting that was required by Northwest Housing Alternatives prior to their site plan application. There were no comments received during the comment period for the application review. The application process is complete.

Since going into effect, most everyone building a home is using the new standards for setbacks and lot coverage.

Commissioners discussed the HURA budget and possibly enacting a time limit for approved façade grants to be completed and reimbursed.

**Adjourn**

Commissioner Saylor adjourned the meeting at 8:27PM.