

HERMISTON PLANNING COMMISSION

Regular Meeting

February 27, 2019

Chairman Saylor called the meeting to order at 7:01PM. Commissioners Doherty, Sargent, Hamm, Fialka and Caplinger were present. Commissioners Rebman and Erz were excused. Commissioner Frederic was absent. Staff in attendance were City Planner Clinton Spencer and Heather La Beau.

Minutes

The minutes of the January 9, and February 13, 2019 regular planning commission meetings were approved.

Hearing-Annexation & Conversion 4N2802A Tax Lots 500 and 502

The Planning Commission is holding a hearing to consider a request for conversion and annexation to the City of Hermiston. The Planning Commission will consider the request and make a decision based on the criteria established in §156.08 and §150.05 of the Hermiston Code of Ordinances. The applicant proposes conversion and annexation of approximately 71.02 acre tract of land located at E Theater Lane and NE 10th St. The applicants are the Hermiston School District and the Hermiston Irrigation District.

Chairman Saylor asked if any commissioners had a conflict of interest. Seeing none, the hearing was opened at 7:03PM and the hearing guidelines were read.

City Planner Spencer presented the staff report.

Testimony

George Anderson, 625 W Division- Mr. Anderson is the attorney for the Hermiston School District. He introduced Tricia Mooney, Superintendent of the Hermiston School District, Cameron Bendixsen, attorney for the Hermiston Irrigation District, Mike Bergstrom, Chairman of the Hermiston Irrigation District and Annette Kirkpatrick, Manager of the Hermiston Irrigation District. Mr. Anderson explained the reasoning for the land exchange between the school district and irrigation district and briefly discussed some of the items in the agreement.

Tricia Mooney, 1055 W Judith Place- Ms. Mooney stated the school district is in the long-range facilities planning process and looking at potentially having an elementary facility at this location should the voters approve a bond.

Cameron Bendixsen, 245 E Main St- Mr. Bendixsen asked that the request be approved.

There was discussion as to the road improvements that will be required at the time of construction. Theater Lane will most likely need widened. This will be determined by the traffic study. Public utility infrastructure was also discussed.

Mr. Anderson noted that 10 feet of the southern property was already deeded as right-of-way by the school district and the irrigation district.

Chairman Saylor closed the hearing at 7:23PM.

Findings of Fact

THE CHANGE IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND ALSO THE

GOALS AND POLICIES OF THE PLAN*Goal 1 (Citizen Involvement) and Policy 1 (Citizen Involvement)*

1. Notice of the proposed amendment was published in the Hermiston Herald on January 23, 2019, soliciting comments on the proposed amendment in conformance with 157.229(A) of the Hermiston Code of Ordinances.
2. Notice of the proposed land use action was physically posted on the property on January 23, 2019 in conformance with 157.229(B) of the Hermiston Code of Ordinances.
3. Notice of the proposed land use action was provided by direct mail to all property owners within 300 feet on January 23, 2019 in conformance with 157.229(C) of the Hermiston Code of Ordinances.
4. Comments received as a result of all required publications are incorporated into the record of proceedings.

Goal 2 (Land Use Planning) and Policies 2 (Planning Process), 3 (Intergovernmental Coordination), 4 (Orderly Urban Growth), 5 (Annexation), and 6 (Conversion)

5. The city is required to review its land use designations and supply adequate amounts of all zoning types.
6. Developing this property residentially is appropriate due to its proximity to similarly zoned residential development.
7. Notice of the proposed amendment was provided to Umatilla County, DLCD, ODOT, the Hermiston Irrigation District, the Hermiston School District, and the Confederated Tribes of the Umatilla Indian Reservation on January 23, 2019.
8. The land is adjacent to existing city limits on two sides (west and south) and promotes compact urban development as it is a logical extension of the city limits.
9. The land is greater than 10 acres in size as required by Policy 6 relating to conversion.

Goal 3 (Agricultural Lands) and Policy 17 (Agriculture and Agriculture Related Economy)

10. The land proposed for amendment is not in cultivation nor has been historically used for agricultural purposes. This policy is not applicable.

Goal 4 (Forest Lands) and Policy 7 (Natural Resources)

11. There are no forest lands within the Hermiston UGB. This goal is not applicable.

Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Space) and Policies 8 (Surface and Groundwater Resources), 9 (Mineral and Aggregate Resources), and 10 (Historic Resources)

12. This property is not identified on the existing Goal 5 inventories in the Hermiston comprehensive plan as having any Goal 5 resources. The property is also not identified on the draft wetlands inventory as subject to any previously unidentified wetlands. This policy is not applicable.

Goal 6 (Air, Water and Land Resources Quality) and Policies 11 (Air Quality), 12 (Noise), and 13 (Water Quality)

13. The city is required to comply with state and federal regulations regarding air and water quality in all development permitting per 157.004 of the Hermiston Code of Ordinances. Development is required to preserve natural resource quality as part of the development review and construction process.

Goal 7 (Areas Subject to Natural Hazards) and Policy 14 (Natural Hazards and Development Limitations)

14. The property is identified as an area with excessively well-drained soils on Figure 12 of the Hermiston Comprehensive Plan. As a condition of any development approvals for the property, the city will prohibit the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuel.

Goal 8 (Recreation) and Policy 16 (Parks, Recreation and Open Space)

15. The Hermiston comprehensive plan map and parks master plan each identify areas for future park locations and future park upgrades. This property is not included on either inventory. This policy is not applicable.

Goal 9 (Economic Development) and Policies 18 (General Industrial Development), 19 (Commercial Development), and 20 (General Economic Development)

16. The land proposed for conversion is designated as Future Residential and will be converted to an urban residential designation. The city's housing needs analysis and economic opportunities analysis have both been prepared using the assumption that this land will develop residentially. No further economic analysis is needed as the existing economic analysis was prepared taking this land into account as residential and the determination that there is sufficient commercial and industrial land was made.

Goal 10 (Housing) and Policies 21 (Housing Availability and Affordability) and 22 (Neighborhood Quality)

17. The proposed R-3 designation offers housing options and uses which are similar to those permitted in the R-4 and R-3 zoning which is directly adjacent to the tract to the west and south. R-3 permits single-family, duplex, and multi-family uses as outright uses.
18. The R-3 zoning will permit a range of residential uses allowing the city to provide a variety of housing options.
19. Nineteen acres of the site are owned by the Hermiston School District and are likely to develop as an elementary school. Schools provide opportunities for open space and are generally considered compatible with residential development, especially when located within walking distance of existing housing.

Goal 11 (Public Facilities) and Policies 23 (Provision of Public Services and Facilities), 24 (Water, Sewer, and Storm Drainage), 25 (Solid Waste), 26 (Schools), 27 (Police Protection), 28 (Fire Protection), 29 (Local Government Services and Facilities), and 30 (Private Utilities)

20. The city has a planned construction of water services and a municipal water tower near this site is in the bidding stage and construction will be completed by the end of 2019.
21. Sewer services are adjacent to the southwest corner of the site and additional extensions of the sewer system are planned for E Theater Lane as part of the Cimarron Terrace development to the south.
22. Initial reviews of the capacity of the existing utility network indicates it is capable of serving the potential buildout of the tract.
23. All storm water will be retained within the boundaries of the tract. There is no city-wide storm water retention and disposal system.
24. Private development such as multi-family housing and schools will be required to maintain all storm water on private property and within the boundary of the development site.
25. Local streets created to service the internal circulation of the site will retain storm water within the right-of-way using a system of catch basins and drywells, or a system of storm water swales.

26. The city encourages all citizens to utilize Sanitary Disposal for solid waste services. The city provides collection points for recycling at two locations in the city.
27. The comprehensive plan identifies a need for a new school within the boundaries of this tract and one is under consideration by the school district who is a party to the application.
28. The Hermiston Police Department has reviewed the proposal and is able to provide police services to future development.
29. The Umatilla County Fire District #1 has reviewed the proposal and is able to provide fire protection to future development. All public streets and private development will be required to provide fire hydrants in compliance with fire standards and fire sprinklers if the scale of building warrants sprinkling.
30. The city has prepared capital improvement plans for the water, sewer, and street systems for the city. Capital improvements are planned for this area in both water and street infrastructure.
31. Private utilities will be extended into this tract at the time of development.

Goal 12 (Transportation) and Policies 31 (Integrated Transportation System), 32 (Rail/Air Transportation), 33 (Alternative Transportation), and 34 (Transportation System Plan)

32. The existing street classifications of major and minor collector streets are consistent with and able to accommodate the trip generations from R-3 and/or public school development.
33. Significant street upgrades will be required at the time development is proposed to bring the existing streets to a construction standard consistent with collector status.
34. Traffic impact analysis will be required to determine the extent of upgrades necessary.
35. Street frontages of all streets will be approved to the applicable city standard for each street classification at the time development occurs.
36. There are no rail or air transportation services available at this location. This policy is not applicable.
37. Sidewalks will be required on all streets as a condition of development in accordance with Policy 33.
38. The city has an adopted and acknowledged transportation system plan.

Goal 13 (Energy Conservation)

39. Goal 13 requires land to be developed in a manner that maximizes energy conservation based upon sound economic principles through efficient use of density and mixing of uses.
40. The proposed R-3 zoning is the densest zoning available in the city. This creates the densest possible residential development potential.
41. The site incorporates a public school within walking distance of existing housing units to further reduce the need for vehicle trips.

Goal 14 (Urbanization)

42. The property is located within the urbanizable portion of the urban growth boundary consistent with Goal 14. Goal 14 directs cities and counties to provide urbanizable land and provide a mechanism for the orderly conversion of land from urbanizable to urban status. The applicant has submitted applications to convert the land from urbanizable to urban status. The land is adjacent to city limits and utilities and is ready for conversion at this time.

Goal 15 (Willamette River Greenway), Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources)

43. Goals 15, 16, 17, 18, and 19 are geographically based statewide planning goals intended to protect specific, identified natural resources. None of the resources under these goals are within the Hermiston planning area. Goals 15, 16, 17, 18, and 19 are not applicable.

DESCRIBE THE PUBLIC NEED FOR THE COMPREHENSIVE PLAN AMENDMENT AND WHETHER THAT PUBLIC NEED IS BEST SERVED BY THE CHANGING THE ZONING CLASSIFICATION ON THE PROPERTY UNDER CONSIDERATION

44. Hermiston has a pressing need for more housing, both single family housing and multifamily units.
45. Hermiston also has a critical need for a fifth elementary school which HSD will build on the east 19 acres of the subject property when a bond can be passed to fund the building of that school. A school is a conditional use in an R-3 zone.

EXPLAIN HOW THE PUBLIC NEED IS BEST SERVED BY CHANGING THE CLASSIFICATION OF THE SITE IN QUESTION AS COMPARED WITH OTHER AVAILABLE PROPERTY

46. The subject property is on two major thoroughfares—E. Theater Lane and NE 10th. Consequently, access is better for multifamily residential and single family residential as there is access onto two streets and for the contemplated new elementary school on the East.
47. The west 51 acres owned by HID has access off both E. Theater Lane, and to NE 10th through a 60 foot fee owned leg of property. It is possible that any developer of the 51 acres will build an access road on this 60 foot parcel to NE 10th Street, and the city may require this access either as a private easement or as a public road to allow development of the HID property. The east 19 HSD school property has access off both E. Theater Lane and NE 10th.
48. HSD plans to build its fifth elementary school on the East 19 acres when bonding is approved. This side is excellent for a school because it will front two major streets—E. Theater Lane and NE 10th. That will allow HSD to separate parent traffic and bus traffic by providing access from different arterials—the best way for school traffic to be structured.

EXPLAIN HOW THE POTENTIAL IMPACT UPON THE AREA RESULTING FROM THE CHANGE HAS BEEN CONSIDERED

49. HSD and HID entered into an “Agreement for Exchange of Properties” (Exchange Agreement) which is attached as EXHIBIT 5 of the application packet. In that agreement, HSD and HID agreed to exchange property within the subject property with HSD ending up with the East 19 acres for a new (fifth) elementary school. That exchange has occurred and HSD now owns the East 19 acres of the subject property and HID owns the West 51 acres which includes a 60 foot “leg” of fee owned land from the 51 acres to NE 10th where an access road may be built to service the 51 acres. In the Exchange Agreement, HSD agreed that when it constructs a new elementary school on its 19 acres, it would make street, sewer and water improvements at its sole cost along E. Theater Lane and NE 10th as required by the City of Hermiston before an elementary school could be built.
50. A major impact on the area will be traffic. That is solved by the property being on two major thoroughfares and HSD having to make the above improvements including asphalt on E. Theater Lane with both HSD and HID having access onto E. Theater Lane and NE 10th.
51. The proposed comprehensive plan amendment will not change the functional classification of the affected streets which are Theater Lane and NE 10th. In this case E. Theater Lane is classified as a minor collector and NE 10th St. is classified as a major collector. The potential buildout of the HID and HSD properties will generate trips within the carrying

capacity of the collector street E. Theater Lane contingent upon improvement of E. Theater Lane to collector standards. HSD will make those improvements to E. Theater Lane.

52. Another major impact resulting from the change will be the need to provide sewer and water to the subject property. Sewer and water are in the street on the Southwest corner of the subject property so it is available and can be extended East along E. Theater Lane for R-3 development on the HID property and to the planned new elementary school on the East 19 acres. The City of Hermiston will require that for a new school to be built on the East 19 acres, that sewer and water be extended all along E. Theater Lane to NE 10, so HSD will have to construct those utilities. Additionally, the Agreement for Exchange of Properties between HID and HSD requires that HSD install all these utilities all along E. Theater Lane at no cost to HID. Consequently HSD will pay for and install all these utilities when it constructs its new elementary school. A sewer lift station probably will be required by the City of Hermiston for HSD to build a new school, and if that is necessary then HSD has agreed with HID that this cost will be solely paid for by HSD.
53. The City of Hermiston is in the process of building a new water tower to the North on E. Punkin Center Road which will provide good water pressure to the subject property.
54. HSD plans to build a fifth elementary school as soon as a bond can be passed to finance its construction. A bond voted on about two years ago which would have built this school failed. HSD still has a pressing need for this new elementary school and its construction is a priority with HSD.

Findings on Annexation

1. The City has received consent to annexation from the property owners for approximately 72 acres of land.
2. Notice of public hearing was published in the local newspaper for two consecutive weeks prior to the planning commission hearing on January 23 and 30, 2019. Notices were also posted in four public places in the city for a like period. A notice of proposed land use action was posted on the property on January 23, 2019.
3. Affected agencies were notified.
4. A public hearing of the planning commission was held on February 27, 2019. Comments received at the hearing are incorporated into the planning commission record.
5. The proposal is consistent with all applicable state annexation requirements.
6. Since the property is contiguous to the existing city limits, the annexation is in accord with Comprehensive Plan Policy 4 which promotes compact urban development within and adjacent to existing urban areas to insure efficient utilization of land resources and facilitates economic provision of urban facilities and services.
7. The annexation is consistent with the requirements of Comprehensive Plan Policy 5 relating to annexation.
8. Following co-adoption of the conversion from urbanizable to urban status by Umatilla County, the property is located within the urban portion of the urban growth boundary (UGB) as identified on the comprehensive plan map.
9. Sewer is available to service this property in E Theater Lane. The applicant is responsible for all connection fees.
10. Water is available to service this property in E Theater Lane and NE 10th Street. At the time of development, the applicant is responsible for all connection fees.
11. The property is adjacent to E Theater Lane and NE 10th Street. Neither street is improved to full city standards with full width paving, curb, gutter, sidewalk, and drainage improvements as of the date of annexation. The city will improve E Theater Lane with two paved travel lanes in the 2019-20 fiscal year. At the time each property develops, the

remaining street improvements, including additional paving, curb, gutter, sidewalk, and drainage improvements, will be required by the City.

12. At the time each parcel develops, additional improvements to NE 10th Street, including additional paving, curb, gutter, sidewalk, and drainage improvements, will be required by the city.

Findings on Zoning Designation

1. Following co-adoption of the conversion from urbanizable to urban status by Umatilla County, the property lies within the urban portion of the urban growth boundary and has a comprehensive plan map designation of Medium Density Residential.
2. The proposed Multi-Family Residential zoning designation corresponds with the underlying comprehensive plan map designation.

Conditions of Approval

1. Each parcel will be required to prepare a traffic impact analysis at the time development is proposed. The scope of the analysis will be developed by the city consistent with 157.150(E) of the Hermiston Code of Ordinances.

Commissioner Hamm moved and Commissioner Fialka seconded to approve the Findings of Fact for the conversion and the annexation as written. Motion passed unanimously. Commissioner Caplinger moved and Commissioner Hamm seconded to approve the conditions of approval as presented. Motion passed unanimously. Commissioner Fialka moved and Commissioner Hamm seconded to recommend the city council amend the comprehensive plan map from urbanizable to urban status with a medium density residential plan map designation. Motion passed unanimously. Commissioner Caplinger moved and Commissioner Fialka seconded to recommend the city council annex the land with an R-3 zoning designation. Motion passed unanimously.

Hearing- Comprehensive Plan Map Amendment & Rezone 4N2814AC Tax lot 4200

The planning commission is holding a hearing to consider a request to amend the City's comprehensive plan map from Medium Density Residential (M) to Commercial (C) with a corresponding change in zoning designation from Multi-Family Residential (R-3) to Outlying Commercial (C-2). The planning commission will consider the request and make a decision based on the criteria established in §157.226 of the Hermiston Code of Ordinances. The property is located at 810 E Evelyn Ave. The applicants are the Greater Hermiston Chamber of Commerce and Brian and Beverly LaFollette.

Chairman Saylor asked if any commissioners had a conflict of interest. Chairman Saylor disclosed she is on the Hermiston Chamber of Commerce Foundation Board. Commissioner Hamm is involved with the chamber also. Both Commissioner Hamm and Chairman Saylor do not feel they have pre-judged the application. The hearing was opened at 7:27PM and the hearing guidelines were read.

The staff report was presented by City Planner Spencer. A comment letter received late today from Liz Marvin was made available to the commissioners.

Testimony

George Anderson, 625 W Division Ave- Mr. Anderson, attorney for the Chamber of Commerce on this matter, briefly introduced Paul Keeler, Chamber President, Phillip Spicer-Kuhn member of Chamber Building Board, Josh Burns and Tim Mabry, realtor for the property. The chamber has received a \$1 million grant from the state and is working to raise funds to build a larger facility with

a large meeting room for business affairs. Mr. Anderson spoke to the limited amount of commercial property on the southern right of way of a five lane federal highway. Mr. Anderson gave the history of the area's zoning per Tom Harper's recollection. Mr. Anderson feels the residents will be buffered by a good commercial building that will not have people coming and going all day and will get relatively low use on the weekends.

Paul Keeler, 4219 Kirk Ave Pendleton- Mr. Keeler stated that this is a great opportunity for the chamber as this is the ideal property for the proposed use and what it can provide to the community.

Tim Mabry, 7889 Doherty Road- Mr. Mabry has been the listing realtor on the property for a couple of years, has been a commercial real estate broker in this marketplace for a few years and is a member of the Chamber Board. He provided a letter of support from the property owners to the commissioners. When preparing to list the property research showed existing multi-family developers did not feel the property was of a large enough size to make the improvements necessary to develop it.

Josh Burns, 1014 SE Banker Drive- Mr. Burns is a Chamber Board member and is also the general manager of the Wal-Mart Distribution Center. Speaking as the manager, there is a need of workforce development in the area. The proposed building fills this need. The DC has hired 465 people in the last two years. That need is accelerating. Mr. Burns stated assets like this would be a benefit to large businesses and industries in the area.

Commissioner Fialka declared for the record he and his wife are members of the Hermiston Chamber. He stated this does not prejudice him.

Commissioners discussed the traffic impact of the potential use. Mr. Anderson responded that the neighboring property to the north is a church which gets traffic on Sunday, but not very much any other time and considers the chamber building to be a very compatible use.

Mr. Keeler stated that the preliminary designs have a meeting room that can hold up to 120 people. Work force training events would have an average of 30 people. Parking needs will be addressed as design work continues.

Mr. Anderson reminded the commissioners that there is no traffic going to the west side of 395 at that location.

Chairman Saylor closed the hearing at 7:55PM.

Findings of Fact

THE CHANGE IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND ALSO THE GOALS AND POLICIES OF THE PLAN

Goal 1 (Citizen Involvement) and Policy 1 (Citizen Involvement)

1. Notice of the proposed amendment was published in the Hermiston Herald on January 23, 2019 soliciting comments on the proposed amendment in conformance with 157.229(A) of the Hermiston Code of Ordinances.
2. Notice of the proposed land use action was physically posted on the property on January 23, 2019 in conformance with 157.229(B) of the Hermiston Code of Ordinances.

3. Notice of the proposed land use action was provided by direct mail to all property owners within 300 feet on January 23, 2019 in conformance with 157.229(C) of the Hermiston Code of Ordinances.
4. Comments received as a result of all required publications are incorporated into the record of proceedings.

Goal 2 (Land Use Planning) and Policies 2 (Planning Process) and 3 (Intergovernmental Coordination)

5. The city is required to review its land use designations and supply adequate amounts of all zoning types.
6. Notice of the proposed amendment was provided to Umatilla County, DLCD, ODOT, the Hermiston Irrigation District, the Hermiston School District, and the Confederated Tribes of the Umatilla Indian Reservation on January 23, 2019.

Policies 4 (Orderly Urban Growth), 5 (Annexation), and 6 (Conversion)

7. The change will promote compact urban development to insure efficient utilization of land resources and facilitate economic provision of urban facilities and services because it will add commercial space along a five-lane federal Highway leading into Hermiston from the South where practically none exists which is readily accessible from the Highway.
8. Commercial space is badly needed on Highway 395 on the South end of Hermiston for commerce and business. Highway 395 on the North is totally built out with Commercial businesses.
9. Having practically all of the land as Residential in the Comp Plan immediately adjacent to both sides of a heavily traveled five lane federal Highway does not promote orderly urban growth. Residential lands should be buffered from this heavily traveled Highway by Commercial lands. This change to Commercial will help add that buffer.
10. The land is within the city limits. Policies 5 and 6 are not applicable.

Goal 3 (Agricultural Lands) and Policy 17 (Agriculture and Agriculture Related Economy)

11. The land proposed for amendment is not in cultivation nor has been historically used for agricultural purposes. This policy is not applicable.

Goal 4 (Forest Lands) and Policy 7 (Natural Resources)

12. There are no forest lands within the Hermiston UGB. This goal is not applicable.

Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Space) and Policies 8 (Surface and Groundwater Resources), 9 (Mineral and Aggregate Resources), and 10 (Historic Resources)

13. This property is not identified on the existing Goal 5 inventories in the Hermiston comprehensive plan as having any Goal 5 resources. The property is also not identified on the draft wetlands inventory as subject to any previously unidentified wetlands. This policy is not applicable.

Goal 6 (Air, Water and Land Resources Quality) and Policies 11(Air Quality), 12 (Noise), and 13 (Water Quality)

14. The city is required to comply with state and federal regulations regarding air and water quality in all development permitting per 157.004 of the Hermiston Code of Ordinances. Development is required to preserve natural resource quality as part of the development review and construction process.

15. Having this property be Commercial, with a Chamber office building between the highway and the multifamily residential housing to the East, will buffer the residential area back from the substantial noise of the Highway.
16. Changing the subject property from Residential to Commercial/C-2 will make it so residences are not along the heavily traveled Highway 395, but are back from it and the attendant noise of the highway.

Goal 7 (Areas Subject to Natural Hazards) and Policy 14 (Natural Hazards and Development Limitations)

17. The property is identified as an area with a high water table on Figure 12 of the Hermiston Comprehensive Plan. As a condition of any development approvals for the property, the city will prohibit the outdoor storage of hazardous chemicals and the underground storage of gasoline and diesel fuel.

Goal 8 (Recreation) and Policy 16 (Parks, Recreation and Open Space)

18. The Hermiston comprehensive plan map and parks master plan each identify areas for future park locations and future park upgrades. This property is not included on either inventory. This policy is not applicable.

Goal 9 (Economic Development) and Policies 18 (General Industrial Development), 19 (Commercial Development), and 20 (General Economic Development)

19. As indicated above, there is practically no readily accessible Commercial/C-2 land adjacent to Highway 395 from Airport Way about a half mile to the bottom of the hill leading into Hermiston. Changing the property to Commercial/C-2 will improve the availability of Commercial/C-2 lands in the City in an area where it is badly needed. There is a substantial demand for Commercial/C-2 lands along Highway 395 South. There is little demand along this stretch of highway for residential development due to it being adjacent to a five lane busy Highway.
20. The Residential designations of the lands along Highway 395 South was done decades ago when the City was relatively small and its residential areas had not spread out as far as they are now. It was contemplated then that residential development would occur along this stretch of the Highway, but that has not happened. Residences are not likely to be built next to a busy five lane federal Highway. That's where commercial development should take place.
21. This whole length of Highway 395 should be reassessed by the City with a view to changing its land uses to Commercial/C-2, due to the acute shortage of Commercial ground along the South part of this Highway. However, this application is only for the subject 2.4 parcel of ground because the pending sale from LaFollette's to the Chamber does not provide enough time for the City to look at the Comp Plan and zoning of all of Highway 395 South. That would involve many parties and a long period of time and the Chamber does not have that time.
22. Hermiston is experiencing an economic boom caused by the construction of massive Amazon data centers in the area. Five have been built and at least seven more are being built or planned in the Greater Hermiston area. This boom has dramatically increased the need for commercial space and buildings. Changing the land uses of land adjacent to Highway 395 South from Residential to Commercial/C-2 would assist the present economic development.
23. The City now owns the 95 acre \$17,000,000 Eastern Oregon Trade and Event Center (EOTEC) at the top of the hill South of the Hermiston airport. Additionally, farther South along Highway 395 the large Tri-Cities retailer Ranch and Home is finishing a 108,000

square foot retail building near the entrance to EOTEC. Thus substantial economic growth is happening at the very south end of Hermiston about a mile from the subject property, and Hermiston's Comp Plan and zoning should take into account the need for more Commercial/C-2 property along the South part of the Highway.

Goal 10 (Housing) and Policies 21 (Housing Availability and Affordability) and 22 (Neighborhood Quality)

24. Changing the subject property from Residential to Commercial/C-2, will have little impact on housing availability and affordability. In fact, there has been no residential development along Highway 395 South from Airport Way into town since the 1970's. That is because of the noise and traffic of Highway 395 and far more suitable locales for residential housing.
25. Developers look to quieter areas and many, many apartments and single family residences have been built in Hermiston since the Comp Plan was adopted, although practically all of the lands along Highway 395 South are Residential in the Comp Plan. No one wants to build along that busy and noisy Highway.
26. Many other areas of Hermiston are Residential in the Comp Plan—more than enough to meet the demand for housing. The corridor along Highway 395 is not needed.
27. Changing the land uses along Highway 395 South to Commercial/C-2 would enhance neighborhood quality by providing a buffer of commercial use to residential uses back from the Highway. On page III-33 of the City of Hermiston Comprehensive Plan an implementing action is listed as:
 - a. "Requiring buffering and/or screening between residential neighborhoods and incompatible uses in the zoning code."
28. Changing the land use of the subject property along Highway 395 to Commercial/ C-2 would create a buffer of the residential areas to the East from the noisy and constant Highway 395 traffic.

Goal 11 (Public Facilities) and Policies 23 (Provision of Public Services and Facilities), 24 (Water, Sewer, and Storm Drainage), 25 (Solid Waste), 26 (Schools), 27 (Police Protection), 28 (Fire Protection), 29 (Local Government Services and Facilities), and 30 (Private Utilities)

29. Sewer and water and power are already to the subject property or in the adjacent Evelyn Street.
30. Because the subject property is a large 2.4 acres, there will be ample area for storm drainage from its parking lot.
31. All storm water will be retained within the boundaries of the tract. There is no city-wide storm water retention and disposal system.
32. The city encourages all citizens to utilize Sanitary Disposal for solid waste services. The city provides collection points for recycling at two locations in the city.
33. The Hermiston Police Department has reviewed the proposal and is able to provide police services to future development.
34. The Umatilla County Fire District #1 has reviewed the proposal and is able to provide fire protection to future development. All public streets and private development will be required to provide fire hydrants in compliance with fire standards and fire sprinklers if the scale of building warrants sprinkling.

Goal 12 (Transportation) and Policies 31 (Integrated Transportation System), 32 (Rail/Air Transportation), 33 (Alternative Transportation), and 34 (Transportation System Plan)

35. The subject property will have all its access off East Evelyn Avenue and has no rights of access of Highway 395.

36. Additionally, the property can be accessed from feeder streets to the East and North so not all traffic to the site will have to use Highway 395.
37. The proposed change to Commercial/C-2 will not change the functional classification of the affected streets which are South Highway 395 and East Evelyn Avenue. The potential building on the subject property will generate trips within the carrying capacity of East Evelyn Avenue and Highway 395 and streets to the East without any improvements. Evelyn Avenue is paved as are all the streets to the East—as well as federal Highway 395.

Goal 13 (Energy Conservation)

38. Goal 13 requires land to be developed in a manner that maximizes energy conservation based upon sound economic principles through efficient use of density and mixing of uses.

Goal 15 (Willamette River Greenway), Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), Goal 18 (Beaches and Dunes), and Goal 19 (Ocean Resources)

39. Goals 15, 16, 17, 18, and 19 are geographically based statewide planning goals intended to protect specific, identified natural resources. None of the resources under these goals are within the Hermiston planning area. Goals 15, 16, 17, 18, and 19 are not applicable.

DESCRIBE THE PUBLIC NEED FOR THE COMPREHENSIVE PLAN AMENDMENT AND WHETHER THAT PUBLIC NEED IS BEST SERVED BY THE CHANGING THE ZONING CLASSIFICATION ON THE PROPERTY UNDER CONSIDERATION

40. As indicated above, there is a public need for the Comp Plan change and the rezoning as there is a shortage of Commercial properties along Highway 395 South—practically none.

EXPLAIN HOW THE PUBLIC NEED IS BEST SERVED BY CHANGING THE CLASSIFICATION OF THE SITE IN QUESTION AS COMPARED WITH OTHER AVAILABLE PROPERTY

41. As indicated above, the public would be better served to change the Comp Plan and zoning along Highway 395 South from Residential to Commercial/C-2 as commercially zoned property is needed in that area and Residential usage adjacent to this heavily traveled five lane federal highway is not preferred. Furthermore, Commercially zoned properties along the Highway would provide buffers from the noise and traffic to residential areas back from the highway and behind new commercial development.

EXPLAIN HOW THE POTENTIAL IMPACT UPON THE AREA RESULTING FROM THE CHANGE HAS BEEN CONSIDERED

42. The potential impacts upon the area resulting from the change have been considered as indicated above. A change from Residential to Commercial/C-2 would be very beneficial for the subject property and for properties all along this stretch of Highway 395 South. This property along the Highway really is not suitable for low, medium or high density residential housing. No one wants to live on a heavily traveled five lane Highway. It should be Commercial.

Commissioner Hamm moved and Commissioner Sargent seconded to approve the Findings of Fact as written. Motion passed unanimously. Commissioner Caplinger moved and Commissioner Hamm seconded to recommend the city council approve the comprehensive plan amendment and rezone of the property from multi-family residential to commercial. Motion passed.

Chairman Saylor recessed the meeting at 8:00PM for a short break.

Chairman Saylor reconvened at 8:05PM.

EOTEC Parking Plan

Al Davis, 2228 NE 8th St- General Manager of EOTEC. Mr. Davis presented the overflow parking plan to the commissioners. The plan includes total number of parking spaces available, locations for additional parking, and a report from University of Tennessee reviewing parking in agricultural fields. In 2018, the busiest day 3,214 parking spaces were used. There is enough room for 3,829 spaces available if all vehicles are parked perfectly. As the fair and rodeo grow, options for additional parking include adjacent and off-site options. Adjacent options include areas of the airport property and leased ground on the south side of Airport Rd. The parking plan has been reviewed by the EOTEC advisory board, not the fair board and rodeo board separately. The EOTEC advisory board determined it was an operational issue.

The location of the proposed RV Park as well as the number and size of the RV spaces was discussed and how it affects the parking plan.

David Bothum- Mr. Bothum gave an explanation of slack schedules and answered questions related to how rodeo participants are moved throughout the facility. This gave the commissioners an idea of the timing and number of rodeo participants that need trailer parking. Mr. Bothum stated the rodeo came about to help the fair and believes the future pavilion is a key part of the plan. He thinks the RV Park ruins growth and hurts the whole facility.

David Dickmeier- Mr. Dickmeier clarified where the fencing was located relative to the airport property. He feels parking is the biggest thing. When the original rodeo plan was put together they figured maximum seating capacity to be 10,000. Mr. Dickmeier said the RV Park can get away with not having water and electricity and can consider having RV spots scattered around the grounds, not all in one location.

Herman Hull, 720 E Quince Ave- Mr. Hull stated if there is a need for an RV Park, someone will build it. He questioned why the city needs to be in the revenue business with an RV Park.

Chairman Saylor responded that there is a concern for public dollars in private enterprise. An RV park being used during adjacent events supports the events rather than being a commercial venture for the city. Mr. Davis mentioned other cities with RV parks.

Commissioners expressed concern over the availability of the proposed additional parking areas. Commissioners would like to have written confirmation from the FAA that parking on the airport property is allowed. The parking plan should include the plan for moving people between the additional parking areas and the EOTEC facilities. It was noted that while the plan provides adequate parking currently, it does not appear to provide adequate parking for future growth of the fair and rodeo. There are multiple options for future buildings and use of the facility, which varies the number of parking spaces required. Commissioner Hamm would like to have the parking plan vetted through the fair board, the rodeo board and the EOTEC advisory board. The Planning Commission directed Mr. Davis to bring a revised parking plan back to the Planning Commission for approval at a future meeting.

Replat- 4N2824B Tax Lots 200, 300 and 400

City Planner Spencer presented the staff report. Hermiston Foods and the City of Hermiston have proposed a replat of property for the purposes of dedicating right-of-way for E Penney Ave. The replat will also separate the existing building improvements from the vacant lands, making the marketing of the property more attractive.

Findings of Fact**Design Standards****§154.15 Relation to Adjoining Street System.**

The property is bordered by SE Kelli Blvd, Shannon Way and S Highway 395. SE Kelli Blvd and Shannon Way are paved city streets. The transportation system plan calls for E Penney Ave to extend from SE Kelli Blvd eastward to Highway 395. The property does not access any other public streets.

§154.16 Street and Alley Width.

E Penney Ave is proposed to extend from SE Kelli Blvd to Highway 395. E Penney Ave will have a right-of-way width of 60 feet. The property is serviced by both SE Kelli Blvd, Shannon Way, and S Highway 395. SE Kelli Blvd has a right-of-way width of 80 feet.

§154.17 Easements.

There are several existing and proposed easements on the property. Pages one and two of the plat depict and detail the existing and new easement configuration. The easement requirements are satisfied.

§154.18 Blocks.

The TSP calls for the extension of E Penney Ave from its terminus at SE Kelli Blvd eastward to S Highway 395.

§154.19 Lots.

The entire parcel has 1,453.6 feet of frontage on S Highway 395, 135.93 feet of Shannon Way frontage and 1,721.44 feet of SE Kelli Blvd frontage. Lot 1 is 2.144 acres and is developed with a municipal well and water tanks. Lot 2 is 18.169 acres and is presently vacant. Lot 3 is 24.532 acres and is developed with the existing Hermiston Foods food processing facility. Each proposed lot meets the minimum lot size, width and depth standards.

§154.20 Character of Development.

The property currently contains the existing Hermiston Foods food processing facility and the city's municipal well facility known as Well #6. The applicant proposes the partition to create a separate lots for the existing building improvements and the vacant land to make marketing of the property more attractive and to dedicate right-of-way for the extension of E Penney Ave per the TSP.

§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

SE Kelli Blvd is a paved city road with some additional improvements on the west side of the street. Shannon Way is a paved city street with no additional improvements. Lot 2 will be responsible for constructing the remaining street improvements to their respective street frontages at such time that development occurs on the lot.

§154.62 Water Lines

Water lines exist in E Penney Ave and SE Kelli Blvd. The existing Hermiston Foods facility is served by a 14 inch water line near the northwest corner of the property.

§154.63 Sanitary Sewer System.

Sewer lines exist in SE Kelli Blvd and at the northwest corner of the property at Shannon Way.

Preliminary Plat

Staff has reviewed the preliminary plat and determined the submission of a preliminary plat is not required in accordance with §154.35(B) of the Hermiston Code of Ordinances.

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**
- (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/§157.055 Mixed Outlying Commercial/Light Industrial (C-2/M-1)

There is no minimum lot size in the C-2 or M-1 zone. Lot 1 is 2.144 acres. Lot 2 is 18.169 acres and Lot 3 is 24.532 acres. Uses permitted in the C-2/M-1 zone are listed in §157.041 (A) and §157.055 (A) of the Hermiston Code of Ordinances.

Conditions of Approval

1. The applicant shall work with and receive certification from the Hermiston Irrigation District prior to obtaining city signature on the final plat.

Commissioner Caplinger moved and Commissioner Fialka seconded to approve the plat subject to the condition. Motion passed unanimously.

Final Plat- 4N2810AB Tax Lot 402

The staff report was presented by City Planner Spencer. The planning commission approved the preliminary plat at the December 2018 meeting.

Herman Hull, 720 E Quince Ave- Mr. Hull stated the Schnell fence on east side property line is about 10 feet off the property line. It has always been that way, he was aware of it when he bought the property, but does not know the reason why the fence was built off the property line.

Conditions of Approval and Findings of Fact

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.

§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 Fialka moved and and Commissioner Hamm seconded to approve the final plat with the conditions of approval. Motion passed unanimously.

Planner Comments and Unscheduled Communications

The commissioners were updated on the status of HB2001 and the items on next month's meeting agenda.

Adjourn

Chairman Saylor adjourned the meeting at 10:00PM.

MARVIN

Zeno and Liz
1725 East highland Ave
Hermiston, OR 97838

February 27, 2019

City of Hermiston Planning Commission
Attn: Clint Spencer
180 NE 2nd Street
Hermiston, OR 97838

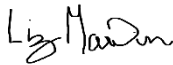
To Whom It May Concern,

I am writing to express wholehearted support for the rezoning of 4N2814AC Tax Lot 4200 from R-3 to C-2. My husband and I are property owners of a multi-family dwelling on SE 8th Place in Hermiston and believe that it is in the best interest of the community of Hermiston to continue to expand areas for commercial development.

As a member of the Greater Hermiston Chamber of Commerce Foundation, I believe this location would be ideal for the Greater Hermiston Chamber of Commerce as well as for the citizens of Hermiston. This facility will serve as a home for the chamber, provide workforce development for the Lower Columbia Basin, and continue to foster economic development and to help our community to thrive.

Thank you for your foresight in planning for our community.

Sincerely,

A handwritten signature in black ink that reads "Liz Marvin". The signature is written in a cursive, flowing style.

Liz Marvin
541-701-1882



February 18, 2019

Hermiston Planning Committee
180 NE 2nd Street
Hermiston, OR 97838

RE: Hermiston Chamber of Commerce
810 Evelyn Ave; Hermiston

We are currently the owners of the lot located at 810 Evelyn Ave, Hermiston, Oregon.

We are writing this letter in support of the Hermiston Chamber of Commerce in their request for a zone change, for the above property, from a R3 to a C-1 or 2.

We strongly feel that this piece of property is ideal for the new Chamber of Commerce's office. It has plenty of room for a nice building and parking within the lot. Access to the property is on Evelyn Avenue and not Highway 395, so it should not be a traffic concern.

There has been a lot of positive growth in this area of Hermiston, and the Chamber's office will be a great fit and addition to the area. The Chamber office will be a positive neighbor to the neighborhood.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian & Beverly LaFollette", is written over a horizontal line.

Brian & Beverly LaFollette
PO Box 489
Pendleton, Oregon 97801







Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, AeroGRID, IGN, and the GIS User Community

