

## CITY OF HERMISTON

### APPLICATION TO AMEND COMPREHENSIVE PLAN MAP

Pursuant to the provisions of § 157.226 of the Hermiston Code of Ordinances, application is hereby made to amend the text or the comprehensive plan map for the following described property:

Name of Applicant: UK Properties, a Partnership Phone: (509) 452-7536

Mailing Address: 110 Roza Vista Dr, Yakima, WA 98901

Name of Owner (If Different): John Uceny/Robert Kelley Phone: \_\_\_\_\_

Mailing Address: See Above.

Legal Description: Assessor's Map No: See Attached Exhibit A Tax Lot No: 4800, 4900, 5000, 5100  
5200, 5300, 5400

Subdivision: \_\_\_\_\_

Street Address: 120, 150, 220 W. Theater Lane

Current Comprehensive Plan Designation: Medium Density/Mobile Home Residential

Proposed Comprehensive Plan Designation: Commercial

**IMPORTANT!** The code of ordinances requires a positive recommendation from the Hermiston Planning Commission and approval from the Hermiston City Council before a change can be made in the comprehensive plan designation of any property. This approval must be determined after separate public hearings before these bodies. Oregon's Land Use Planning Laws require the planning commission to make findings of fact with regard to requests for comprehensive plan amendments. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will be used by the City to make findings and evaluate the merits of your request. Inasmuch as THE BURDEN OF PROOF IS ON THE PROPONENT, the chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

#### APPROVAL CRITERIA

- The burden in all land use proceedings is upon the applicant
- The requested change must be justified by proof of the following:

1. Explain how the requested change is in conformance with the comprehensive plan and also the goals and policies of the plan.

The requested change which seeks to change the property to C-2 commercial, is in conformance with the comprehensive plan and with the goals and policies of the plan because it would allow for further retail development in Hermiston. In particular, it is in conformance with Policy 19 because it will allow additional commercial land to be available for development within the community. The requested change also satisfies Policy 20, governing general economic development, because more commercial land will allow for more economic development in the form of new business and additional commercial facilities. This will also allow for job growth. Further, from a procedural perspective, the requested change conforms with the policy of citizen involvement because it will go through the public hearing process. It also satisfies Policy 4 from the Comprehensive Plan because it will promote "compact urban development," by freeing up more commercial space within the Urban Growth Boundary such that the urban growth boundary does not need to be expanded, more land does not need to be annexed, and there is no further expansion into agricultural areas adjoining the City of Hermiston.

2. Describe the public need for the comprehensive plan amendment and whether that public need is best served by changing the zoning classification on the property under consideration.

There is a public need for changing the zoning classification on this property because it allows for, as noted above, further commercial development without requiring an expansion of the Urban Growth Boundary and without change to other residential areas. The need is based upon the fact that there is a limited amount of land available for commercial development in Hermiston and freeing up more for such development would benefit the community overall.

3. Explain how the public need is best served by changing the classification of the site in question as compared with other available property.

The public need is best served by changing the classification of these particular properties as compared to other properties, because these properties already adjoin commercial property. In essence the public need is satisfied because the existing footprint of commercially owned properties in this small area of Hermiston will be expanded and centrally located, rather than being spread out and intermixed with residential zoned areas. This prevents separate commercial zones which are isolated from each other and allows for the further development in a defined commercial zone. Further, the applicant believes there will be no negative impact as there is sufficient residential-owned property to the East of the property for which the Applicant seeks a zone change. And, the proposed zone change is for a property adjacent to an established major collector road, Theater Lane, so there will be no negative impact on traffic or an increase in traffic on a road that cannot otherwise absorb additional traffic.


4. Explain how the potential impact upon the area resulting from the change has been considered.

The potential impact upon the area resulting from the change was considered by examining the impact on the residential housing supply. As noted, there is ample R-4 zoned property to the East and there should be no impact on the availability of housing, especially given that the property for which a zone change is sought currently has low density residential facilities. Further, the use of the roadway and the impact on traffic has also been considered and there is no indication of any kind here that there will be a negative impact on traffic patterns or road use in the area. Again, this is because Theater Lane is a major collector road and there is no indication that traffic will be demonstrably increased by this requested zoning change.

ADDITIONAL INFORMATION TO BE FURNISHED AND ATTACHED TO APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the proposed use.
2. Two copies (one digital copy) of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed building(s), highways, streets and alleys.
3. A metes and bounds legal description of the entire property proposed for amendment. A metes and bounds description of each parcel is not sufficient.

The above statements are true to the best of my beliefs and knowledge. As applicant, I understand that the planning commission requests the attendance of me, or my representative, at the meeting(s) where this request is scheduled for consideration and that the planning commission retains the right to approve or deny this request and impose those conditions as may be necessary to lessen probable adverse impacts based upon the testimony provided at the hearing.

 07/17/2020  
Signature of Applicant Date

OUT OF POCKET EXPENSES FOR MAILING AND PUBLICATION COSTS WILL BE BILLED LATER

**NOTE:** The planning commission shall conduct a public hearing on the proposed amendment at the earliest regular meeting, after the application is submitted, in accordance with the public hearing procedures under '157.226 of the Hermiston Code of Ordinances. Both text and map amendments shall also be submitted to the Department of Land Conservation and Development 45 days prior to the date set for final action by the city council except as provided for under ORS 197.601. For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or telephone (541) 567-5521. The City's fax number is (541) 567-5530.

Office Use Only

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Fee: \$725.00 Date Paid: 9/20/2020 Receipt No: 1.147.339