



*Where Life is Sweet*

Members of the Planning Commission

## **STAFF REPORT**

For the Meeting of June 11, 2025

### **Title/Subject**

Supplemental Information

Replat- 4N2802AB Replat of Sunset Estates & Terra Nova Terrace

### **Summary and Background**

The staff report for this replat issued on June 4 identified an issue with tri-plex lots in the development. The tri-plex lots had an area deficiency, and the staff report recommended that the planning commission require the deficiency to be fixed or a new plat to be submitted. The applicant has submitted a revised plat which increases the lot sizes for the tri-plex lots to meet the 7,500 square foot minimum. The aggregate of all three-family lots now varies between 7,501 and 7,525 square feet. Two- and four-family lots continue to comply with minimum lot size requirements of 5,000 and 8,000 square feet respectively. Staff recommends that condition #5 in Exhibit B to the staff report be removed and subsequent conditions renumbered accordingly.

Revised maps have been prepared by staff indicating the potential layout of common wall dwellings on the site. The overall number of lots has been reduced from 219 to 213 in order to comply with the aggregate minimum lot size requirement.

Testimony has been submitted to the planning commission from ODOT and from Bob and Becky Green (2260 NE 8<sup>th</sup> St). Additional testimony may be submitted between the preparation of this memo and the date of the meeting and copies will be provided at the meeting if received.

The letter from ODOT raises issues surrounding trip generation and type of development post-replatting. The planning commission may choose to require a trip generation report be prepared as requested by ODOT. Staff does not agree that a trip generation report is merited due to lack of change to the base zoning of the site. Under current zoning, each lot has the potential to develop with a three-unit lot and some lots have the potential to develop with a five-unit lot. Thus the existing density supports up to 200 units and the proposed development increases the unit density to 213, an increase of 6%. The functional change is in the configuration of lot lines rather than the density of the site. To this point, ODOT testifies that they are unsure of the number of units on each lot following replatting. However, the city code specifies that each lot is limited to one dwelling per 157.152. Additional duplex or higher units are not permitted on the lots after replatting. Therefore, the density is capped at 213 units and lot coverage requirements will prevent construction of accessory dwellings on the lots. A copy of the staff acknowledgement of testimony and clarifying response is attached to this memo. To reiterate, staff does not support preparation of a trip generation memo as the density is increasing only by 6% over the existing

density and no change to a zoning regulation, zoning map, or comprehensive plan map is proposed which would trigger the requirements of OAR 660-012-0060. However, based upon the deliberation of the planning commission and public testimony, the planning commission may choose to disregard the staff recommendation and require additional evidence as deemed necessary.

The Green letter raises concerns related to aesthetics, density, property value, traffic, utilities, and open space. The issues raised do not relate specifically to code provisions but should be considered by the planning commission as part of the deliberative process. The city is not able to enforce or honor promises made by former landowners and must treat each application subject to the rules in place governing the zoning and development process. Conditions of approval shall be roughly proportional to the impact of development and imposed through establishment of a nexus between the exaction and the impact.

**Submitted By:**

C.F. Spencer, Planning Director

**Exhibit B**  
**Conditions of Approval**  
**Sunny View Terrace Replat**  
**June 11, 2025**

Subject to the and testimony presented to and the deliberation of the planning commission, the following conditions of approval are proposed:

1. 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.
2. Applicant shall work with and receive certification from the Hermiston Irrigation District prior to final plat approval. The applicant should be aware that the City of Hermiston will not sign the final plat until the Hermiston Irrigation District has signed the final plat.
3. Comprehensive Plan Figure 12 identifies this site as an area subject to development hazards due to excessively well drained soils. Therefore, the City will prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
4. Easements of ten feet in width shall be provided on all lot lines abutting a public street.
5. Streetlights shall be installed at the applicant's cost. Once installed, the City will assume the monthly service charges.
6. 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.

SUNNY VIEW TERRACE

A Replat of Lots 20, 27-45, 48-53, 56-61, 64-69, 72-77, 80-85, 88-93, & 96-98 of Sunset Estates And Lots 1-7 of Terra Nova Terrace City of Hermiston, Umatilla County, Oregon Township 4 North, Range 28 East, W.M. Northwest 1/4 of Northeast 1/4 of Section 2 for: North 44 Homes 4618 South Reed Street Kennewick, Washington, 99337

LEGAL DESCRIPTION:

Lots 20, 27-45, 48-53, 56-61, 64-69, 72-77, 80-85, 88-93, & 96-98 of Sunset Estates and Lots 1-7 of Terra Nova Terrace all located in the Northwest Quarter of the Northeast Quarter of Section 2, Township 4 North, Range 28, East of the Willamette Meridian, City of Hermiston, Umatilla County, Oregon;

RECORD SURVEYS:

R1 - McKinnis for Holt, Sunset Estates, Book 13, Page 086, 1996  
R2 - McKinnis for Holt, Holt Addition, Book 15, Page 034, 2007  
R3 - Edwards for Holmes, C.S. #S-037-  
R4 - McKinnis for City of Hermiston, Terra Nova Terrace, Book 18, Page 046, 2025

SURVEYORS CERTIFICATE & NARRATIVE:

I, Ronald V. McKinnis, being a Registered Professional Land Surveyor of the State of Oregon, certify that I have correctly surveyed and monumented the lands more particularly described in the Legal Description shown hereon according to Oregon Revised Statutes, Chapter 92 of the State of Oregon. The INITIAL POINT of this survey is a 5/8" Rebar with a Yellow Plastic Cap, PLS 951 set at the Northeast corner of newly created Lot 12 being the Northeast corner of this Plat.

This Survey is Based on my surveys for Holt, Sunset Estates & Holt Addition, and my survey for the City of Hermiston, Terra Nova Terrace. My Bearing Base is the East Line of the Sunset Estates Subdivision. Having only completed Phase 1 of this Subdivision in 2006, only the Exterior monuments were set for these Lots of this Subdivision. The purpose of the survey was to Replat All of Phase 2 of Sunset Estates by dividing all remaining lots of Phase 2 in half to allow construction of Zero Lot Line Duplexes on each property. This survey was conducted with a Trimble R8 RTK Total Station.

OWNERS DECLARATION / DEDICATION:

Know All Men By These Presents, that the owners of the lands shown on this plat do hereby Recognize previous dedications to the Public of Hill View Drive, Sunny View Lane, and NE Holt Avenue. We also Dedicate or Recognize the previous Utility easements as portrayed upon this Plat. We acknowledge that they have caused this Plat to be created, we authorizes that this Plat be prepared in accordance with provisions of ORS Chapter 92, and we recognizes this Plat as the Official Map and Plat of the Replat as designated by the County Official, and filed in the County of Umatilla, State of Oregon.

Edith A. Holt, Trustee, Holt Revocable Living Trust  
Owner

Larry D. Ables Diana L. Ables  
Ables & Ables, LLC, Purchasing Agent

On this day of 2025, the above individuals appeared personally before me and are known to me to be the identical individuals who executed this plat and acknowledged that they did so freely and voluntarily of their own will.

Before me: Notary Public for Oregon

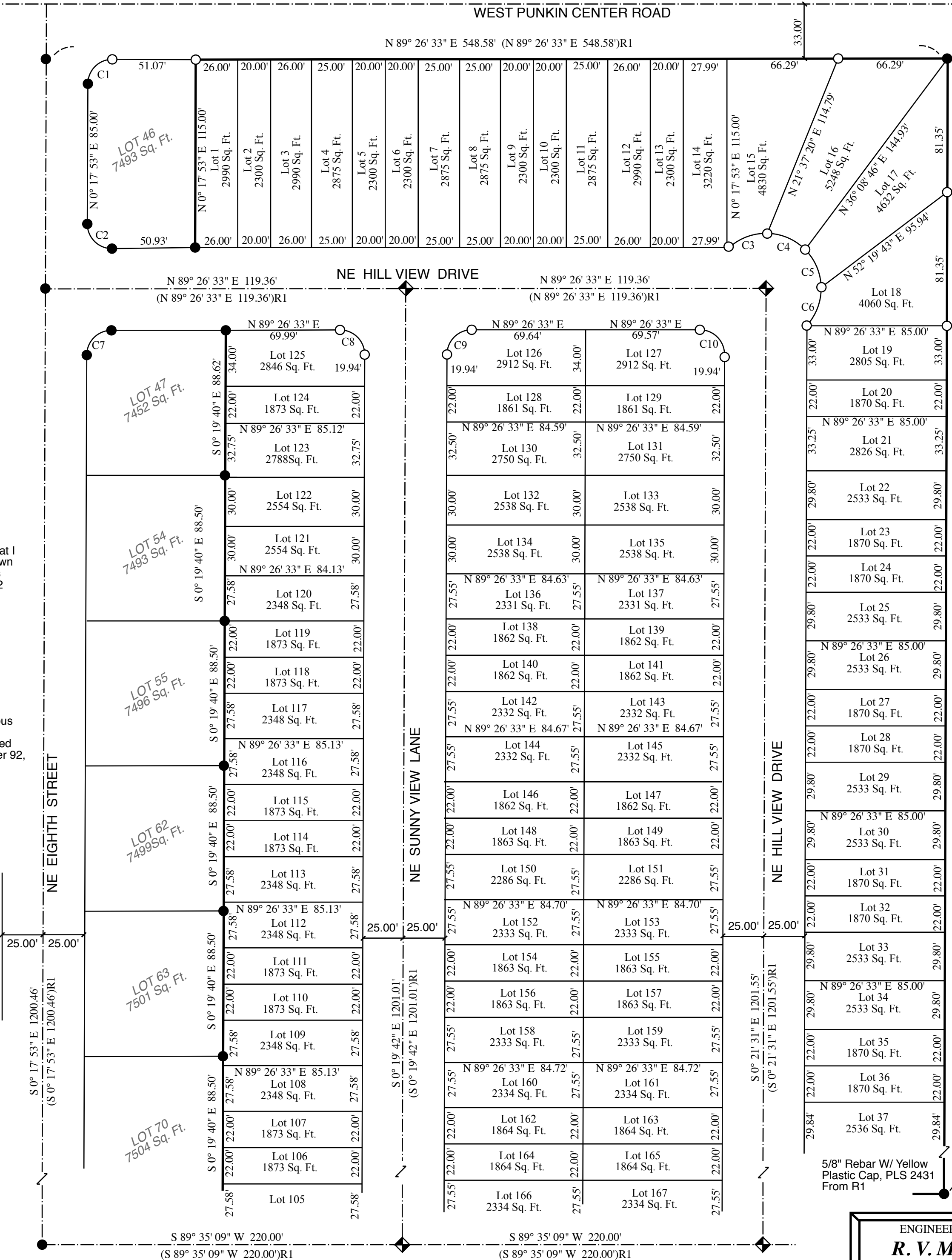
My Printed Name is

My Commission No. is

My Commission Expires

CURVE TABLE:

No.	Length	Radius	Delta	Chord Bearing	Chord Lgth.
C1 -	23.49'	15.00'	89°44'26"	N 44°34'20" E	21.17'
C2 -	23.63'	15.00'	90°15'34"	S 45°20'32" E	21.23'
C3 -	25.66'	33.71'	43°35'20"	N 69°07'34" E	25.03'
C4 -	25.66'	33.71'	43°41'31"	S 67°16'29" E	25.04'
C5 -	25.67'	33.71'	43°38'27"	S 23°40'51" E	25.05'
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C10 -	23.56'	15.00'	90°00'24"	S 45°26'34" E	21.26'



I certify that this is a true and exact copy of the Original Replat as filed for Edith A. Holt & Ables & Ables, LLC in Umatilla County, Oregon

Ronald V. McKinnis, PLS #2431



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

PRELIMINARY

OREGON  
RONALD V. MCKINNIS  
JAN. 23, 1990  
2431  
Expires 12-31-26

LEGEND

- SET MONUMENTS - 5/8" X 30" Iron Rebar W/ Yellow Plastic Caps Stamped - L.S. #2431
- ◆ SET MONUMENTS - Brass Cap in Monument Box Stamped - L.S. #2431
- Found Monuments - From R1 or as Noted
- ⊗ Calculated Point - Not Set
- SUBDIVISION BOUNDARY
- - - Section / Street Center Line
- (000)R0 Record - Per Reference Noted

SCALE 1" = 50 Ft.  
April, 2025

ENGINEERING - LAND SURVEYING - WATER RIGHTS

R. V. MCKINNIS ENGINEERING

79980 Prindle Loop Road  
Hermiston, Oregon 97838  
(541) -567-2017



A Replat of Lots 20, 27-45, 48-53, 56-61, 64-69,  
72-77, 80-85, 88-93, & 96-98 of Sunset Estates  
And Lots 1-7 of Terra Nova Terrace  
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Township 4 North, Range 28 East, W.M.  
Northwest 1/4 of Northeast 1/4 of Section 2

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Umatilla County Surveyor

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PAGE 2 of 2  
Rev. 06-06-25

Ronald V. McKinnis, PLS #2431



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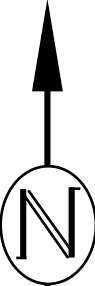
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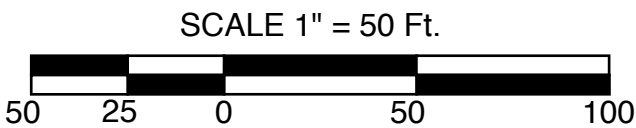
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APPROVALS:

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City of Hermiston Planning Commission Chair

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City of Hermiston City Council, Mayor

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Umatilla County Tax Collector

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**Umatilla Office of County Records**  
Recording Information  
SEAL

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April, 2025

# ***HERMISTON IRRIGATION DISTRICT***



---

366 East Hurlburt Avenue  
Hermiston, OR 97838-2445  
Office: 541-567-3024  
Mobile: 541-571-7698  
E-mail: [Office@HermistonID.org](mailto:Office@HermistonID.org)

June 3, 2025

Clint Spencer, Planning Director  
City of Hermiston  
180 NE 2<sup>nd</sup> Street  
Hermiston, OR 97838

**RE: Replat of Sunset Estates and Terra Nova Terrace Submitted by Ron McKinnis**

Director Spencer,

The District has reviewed the properties listed above. These parcels are located within the Hermiston Irrigation District boundary, however, there are no water rights, easements, or District facilities on these properties.

HID has no objection to the replat. Thank you for the opportunity to comment on this request.

Respectfully,

*Karra*

Karra Van Fossen  
Water Right Specialist



June 9, 2025

Planning Commission  
City of Hermiston  
180 NE 2<sup>nd</sup> Street  
Hermiston, OR. 97838

RE: Notice of Limited Use Decision – Sunny View Terrace Replat

Planning Commission:

We have received notification of an application to replat lots located on NE Sunny View Lane. Lots are zoned Multi-Structure Residential (R-4). The following is a response to said replat application and the probable effect to our property and those of our neighbors.

**We adamantly opposed the proposed replat application for the following reasons:**

- It will decrease the original lot size to approximately 1/4 of its current listing (65 to 219).
- It will increase the density and population of the overall new development by 4 times the previous plan.
- Two-story condominium housing will ultimately reduce the surrounding property values.
- It will decrease current resident visibility and privacy in the backyard of adjacent properties.
- It will substantially increase traffic on 8<sup>th</sup> street because of entrance and exit from the development.
- It creates a greater hazard for children because of increased traffic.
- It will change the neighborhood from a rural-style, single family residential community to a more urban, congested living environment.
- Utilities of existing homes will be impacted by additional large-scale development. (Many residents currently have difficulty with water pressure for sprinkler lines from the newly installed city water tank. We are one of them. This will not help our situation.)
- No grass space is allocated for children to play.

**It should be noted that the original purchase of our property was made only after reviewing the masterplan and receiving assurances from the developer and real estate agent that the plan would be retained. The original plan should not be changed. We would not have purchased the property otherwise. Many of our neighbors have made similar statements.**

**Optional Recommendations for Planning Commission Consideration:**

1. Table the decision and ask for additional input from residents on the south and west sides of 8<sup>th</sup> St., from Theatre Rd. to Punkin Center Rd. They will clearly be affected by the changes and should have an appropriate voice in this determination.
2. Modify all new units to be built directly behind 8<sup>th</sup> St. Change these units from two-story to one-story units for more privacy of current residents.
3. Require repaving of 8<sup>th</sup> St. at developer's expense to support heavy equipment and vehicles necessary for development and construction.
4. Build an 8 ft. sound wall between existing properties and any new development. This is to be paid by the developer.
5. Create a 100 ft. barrier of parkland between existing lots on 8<sup>th</sup> St. and any new development to the East.
6. **Ultimately, deny the proposed replat entirely and retain current specifications for further development.**

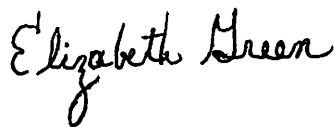
Acceptance of the replat plan will prove to be a great hardship to many current residents. It will force many to sell due to high density, traffic, noise, and the loss of the lifestyle they are seeking.

Great concern has been expressed by most residents on 8<sup>th</sup> St., with the belief that these changes will have a negative impact on their families. **We have lived in this neighborhood for 10 ½ years. These changes will affect us personally and force us from the lifestyle and neighborhood we have chosen to live.** For this we are deeply saddened. We reserve the right to seek legal counsel to protect our property interests if necessary.

Sincerely,



Bob & Becky Green  
2260 NE 8<sup>th</sup> St.  
Hermiston, OR.  
97838







# Oregon

Tina Kotek, Governor

## Department of Transportation

Region 5, District 12

1327 SE 3<sup>rd</sup> Street

Pendleton, OR 97801

June 5, 2025

Clint Spencer, Planning Director VIA EMAIL: [cspencer@hermiston.gov](mailto:cspencer@hermiston.gov)  
City of Hermiston  
180 NE 2<sup>nd</sup> Street  
Hermiston, OR 97838

Subject: Proposed Replat Lots 20, 27-45, 48-53, 56-61, 64-69, 72-77, 80-85, 88-93, and 96-98 of Sunset Estates and Lots 1-7 of Terra Nova Terrace located on NE Sunny View Lane/NE Hill View Drive

The Oregon Department of Transportation (ODOT) has jurisdiction of US 395 and OR 207, including responsibility for managing access within these corridors. ODOT is committed to preserving the function of the transportation system and public infrastructure investments as the area infills and redevelops.

ODOT is concerned the proposed development could have impacts to Punkin Center/US 395 and Theater Lane/US 395, and 4<sup>th</sup> Street/OR 207 (Elm Street). David Boyd, P.E., Region Access Management Engineer has relayed that going from 65 lots to 219 lots of Multi-Structure Residential (R-4) may be an increase of 1,000 or more trips. In addition, it is unclear whether the proposed lots would also convert from two-unit/lots to an unknown number of unit/lots with higher trip generation uses.

At a minimum for a rezone, we recommend a Traffic Generation Report (TGR) be conducted. If the TGR shows an increase in traffic between 400 and 1,000 Average Daily Trips (ADT), then following Oregon Highway Plan Action 1F.5, there are different thresholds for Annual ADT and highway configurations that will need to be evaluated. Similarly, if the increase is over 1,000 ADT, a Traffic Impact Analysis (TIA) would be recommended.

Ensuring the transportation system is managed effectively to support multi-modal choices in accordance with the City's Transportation System Plan as well as the 2000 US 395 North Corridor Plan is necessary to satisfy requirements of the ORS 660-012 Transportation Planning Rule.

ODOT welcomes the opportunity to meet with the City regarding future development plans and the timing of a TIA. Please enter this letter into the record of the proceedings and provide me with a copy of the decision. Thank you for the opportunity to comment on this proposal.

Rich Lani  
District 12 Manager

CJS

cc: Ken Patterson, ODOT Region 5 Manager  
David Boyd, Region Access Management Engineer  
Tom Lapp, District 12

**From:** [Clinton Spencer](#)  
**To:** [LANI Richard](#)  
**Cc:** [JARVIS-SMITH Cheryl](#); [BOYD David W](#); [LAPP Thomas](#); [HOWLAND Paul L](#); [MARTIN Kelli N](#); [Byron Smith](#); [Heather LaBeau](#); [Rich Tovey](#)  
**Subject:** RE: Hermiston Replat- Sunny View Terrace Development Review comments  
**Date:** Thursday, June 5, 2025 4:40:38 PM

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Rich,

Thank you for these comments and I will present them to the planning commission for consideration. I did want to make sure that ODOT is properly interpreting the action being done here because middle housing is a new concept in state statute. This is a middle housing development creating owner occupied lots for units. No zone change is being proposed here. Under the current zoning there are 65 lots of 7,500 square feet. Each lot has the capability to accommodate a tri-plex now and the actual potential density in the area is 195 units. The developer is looking to make each unit available for sale so the units are proposed for common wall attached dwellings on lots between 1,800 and 2,500 square feet. There will be a mix of two-, three-, and four-plex units. Using the advantages in the city's zoning ordinance where 7,500 square feet is required for three units but 8,000 square feet is required for four units, they are increasing the density a little from 195 to 219. I have requested a revised plat which will likely lower the density to around 210 for some compliance issues.

I wanted to make sure that ODOT is understanding that 65 is not the potential density that exists today. The other phase of the development did develop with a mix of single-family and two-family housing, but single-family is not required under the zoning and developers have always had the option to construct at least three units per lot by right.

Under the city's common wall housing code in 157.152, each lot is permitted only one dwelling unit. Thus, the development will result in 219 attached single-family units, not 219 lots, each with the potential to accommodate additional multi-family units. *(B) Where common wall housing is proposed, the minimum lot area shall be calculated using the density standards of the underlying zone for the number of units. At no time may there be more common wall units than would be allowed for traditional single lot multi-family housing.*

I hope this helps to clarify the development proposal. Feel free to reach out with any questions.

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**From:** LANI Richard <Richard.LANI@odot.oregon.gov>  
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