



*Where Life is Sweet*

Members of the Planning Commission  
**STAFF REPORT**  
For the Meeting of May 8, 2024

**Title/Subject**

Subdivision- Henry K's Phase 1 Hermiston Home Works Inc 4N2813 Tax Lots 200 & 500 - 1295 SE 10th St

**Summary and Background**

Hermiston Home Works Inc has submitted a preliminary plat for Phase 1 of the Henry K subdivision. The proposed subdivision contains 28 single or two-family lots, one 5.9 acre commercial lot, one 25.6 acre commercial lot, and one 42.9 acre residential lot reserved for future residential development. The development is located on approximately 80 acres of land located on the east side of SE 10th Street near Blue Mountain Community College and the Eastern Oregon Higher Education Center. The site extends from SE 10th Street northerly and easterly to E Highland Ave and is located north of the Hermiston Municipal Airport.

Hermiston Home Works Inc owns the property and applied to the city for annexation and comprehensive plan map amendment with the intention of developing the property residentially and commercially. The city approved the annexation of the property with R-3, R-2, and C-2 zoning in March of this year. Umatilla County co-adopted the map amendments on May 1, finalizing the annexation process.

The site is adjacent to low density rural residential housing to the north. The Hermiston Municipal Airport forms the south boundary of the property. The Eastern Oregon Higher Education Center, BMCC, and various other governmental uses are located west of the site. Topographically, the property is generally flat or undulating. The property is bisected by the Union Pacific Railroad mainline. Approximately 55 acres lies north of the mainline and 26 acres lies south of the mainline. The property physically abuts the A-Line Canal along the entire north property line and the Feed Canal along the south property line. Access is provided by SE 10th Street and E Highland Ave.

The area proposed for subdivision lies within the portion of the property designated as R-3 on the zoning map. There are 28 residential lots proposed, ranging in size from 6,500 to 13,600 square feet. All of the lots are large enough to accommodate one and two-family homes. Five of the lots are also large enough to accommodate multi-family homes of at least three units. It is the applicant's intent to build single-family housing.

SE 10<sup>th</sup> Street provides access for this phase of the development. SE 10<sup>th</sup> Street is classified as an urban minor collector in the transportation system plan. The development also makes provision for the extension of SE Columbia Drive to the east, planning for an eventual connection

of Columbia Drive and E Highland Avenue. SE Columbia Drive is also designated as an urban minor collector and the transportation plan calls for the extension and connection of Columbia Drive linking Highway 395 to E Highland Ave. To comply with the city's transportation requirements, SE Columbia Drive through the development has a right of way width of 56 feet rather than the standard 50 feet. SE 10<sup>th</sup> Street is improved to urban minor collector status adjacent to the development but will require the installation of sidewalks at the time of development. Additionally SE 10<sup>th</sup> Street adjacent to Lot 29 (the C-2 parcel) is completely unimproved and will require 3/4 street improvements of two travel lanes, curb and gutter, and sidewalks on the east frontage at the time commercial development occurs on Lot 29.

The approval of the comprehensive plan map amendment and annexation for the property was subject to approval conditions by the city. Some approval conditions are applicable at this time, and some will be relevant to later development proposals. The approved conditions are as follows:

1. Annexation is contingent upon co-adoption of the comprehensive plan map amendment by Umatilla County under the provisions of the Hermiston Planning Area Joint Management Agreement, dated March 2, 2017. In the event that Umatilla County fails to co-adopt the map amendments, annexation shall fail, and a new comprehensive plan map amendment and annexation application shall be submitted.
2. Per the recommendations of the January 24, 2024, traffic impact analysis and the Oregon Department of Transportation, a trip cap of 657 peak hour trips is imposed upon the property. Residential trips shall be capped at 325 peak hour trips and the newly designated commercial area south of the railroad tracks shall be capped at 110 peak hour trips. Compliance with the trip cap will require the following actions:
  - a. Each application for development authorization within amended area submitted to the city shall be accompanied by a trip generation letter prepared by a registered traffic engineer indicating the average daily and peak hour trips generated for the proposal.
  - b. Each trip generation letter shall indicate available peak hour trips remaining at completion of construction for the proposal.
  - c. At such time that the peak hour trips exceed 657, the city shall no longer issue building permits until a revised traffic impact analysis is prepared. The requirement to prepare a new traffic impact analysis shall run with the land and is not binding upon the applicant unless the applicant retains ownership at the time the trip cap is exceeded.
  - d. The city shall reserve the right to require additional traffic mitigation measures and/or prepare an independent traffic impact analysis at such time the trip cap is exceeded.
  - e. Determination of mitigation measures is contingent upon and proportional to the impacts of the eventual development approved for the amended property. Comprehensive plan map amendment and annexation is not sufficient to require additional mitigation measures.
3. Portions of the property are identified on Figure 12 of the Hermiston Comprehensive Plan as being subject to ground water pollution hazards due to excessively well-drained soils. In the case of an existing or potential groundwater pollution threat, the city shall prohibit the outdoor storage of hazardous chemicals and underground storage of gasoline and diesel fuels.
4. Portions of the property are identified on Figure 12 of the Hermiston Comprehensive Plan as being subject to development hazards due to restrictive foundation soils. Where restrictive foundation soils are evident, the city shall require a registered engineer's assessment of the design and structural techniques needed to mitigate potential hazards. In the event there are inadequate mitigation measures, the city shall prohibit development.
5. Portions of the property are identified on the city's Natural Resource Map as having potential wetlands. At such time as development is proposed, the city will notify the Oregon Department

of State Lands of the development proposal, soliciting comment on the potential wetland status. Necessary mitigation measures will be determined as part of the review and approval process for development on the amended property.

Condition #1 was satisfied by co-adoption of the map amendments by the Umatilla County Board of Commissioners on May 2. Condition #5 relating to wetlands will not be impacted in this phase but will be a factor in later portions of the development. Conditions #2, 3, and 4 are relevant to this preliminary plat. The applicant has submitted the required trip generation documentation. The residential development will generate 30 peak hour trips, leaving 627 peak hour trips to accommodate future development. Approval conditions relating to development hazards will remain in effect and be imposed upon the subdivision as well.

The planning commission and city council discussed the status of the A Line Canal bridge on SE 10<sup>th</sup> Street during the annexation process. It was determined that the actual improvements to the bridge would be based upon the proportional impact of the development on the bridge and the trips generated vs existing trips. The development will significantly impact the bridge, requiring upgrading and a per trip impact fee based on each peak hour trip within the development. Based on the conditions of approval, the development will produce 325 residential trips and 222 commercial trips during peak hour periods, for a total of 547 trips to share responsibility for the bridge replacement.

The city also has a vested responsibility for bridge improvement, based upon existing trip generation from city development crossing the bridge. Based upon current usage, existing city trips constitute approximately 25% of the usage when full build-out of 547 peak hour trips occurs. It is estimated the total peak hour trips at build out will be 684 trips. Therefore, the development will contribute approximately 75% of the new trips over the A Line Canal. Based upon the trip distribution in the TIA, commercial trips will constitute 35% of the new trips and residential trips will constitute 65% of the new trips. The preliminary engineer's estimate for canal replacement is \$675,000. Based upon best available trip data estimates, the city will be responsible for \$168,750 of the cost of bridge replacement. Residential development of 325 residential trips constitutes 48% of the trip generation, or \$324,000. The development plan calls for 208 residential lots in the total development area. Therefore, each lot may be assessed \$1,557. Commercial trips will constitute 27% of the trips, or a total assessment of \$182,250 when commercial development occurs.

The mapping of the subdivision has revealed some irregularities in the existing lot line configuration. The east line of SE 10<sup>th</sup> Street is not aligned on the north and south sides of the A Line Canal. The project surveyor has reviewed the discrepancy and determined that additional right of way dedication is necessary to reflect the actual street and improvement alignment. An additional 32.7 feet are proposed for dedication to SE 10<sup>th</sup> Street.

All of the proposed lots are designed to meet or exceed the R-3 zoning standards. Findings addressing the subdivision design standards are attached to this report as Exhibit A. Recommended conditions of approval are attached as Exhibit B.

Notice was mailed to all property owners within 100 feet of the proposal and affected agencies by direct mail on April 24, 2024. A sign was placed on the property on April 24, 2024.

The criteria that are applicable to the preliminary plat are contained in 94.20 through 94.26, 154.15 through 154.35, 154.60 through 154.66, and 157.027 and 157.101 of the Hermiston Code of Ordinances.

### **Tie-In to Council Goals**

Provision of market rate and affordable housing is a council priority.

### **Fiscal Information**

There are 28 low density residential lots resulting in 28 new homes proposed for the subdivision. Each house should sell in the \$300,000 range. At full build-out the development will generate approximately \$57,000 in revenue to the city each year.

### **Alternatives and Recommendation**

#### **Alternatives**

The planning commission may choose to:

- Approve the subdivision plat and conditions
- Approve the subdivision plat and modify the conditions
- Modify the subdivision plat
- Reject the subdivision plat

#### **Recommended Action/Motion**

Staff recommends that the planning commission approve the preliminary plat subject to the draft conditions.

- Motion to make the project file a part of the record
- Motion to approve the findings of fact
- Motion to approve the conditions of approval
- Motion to approve the preliminary plat with conditions of approval

#### **Submitted By:**

C.F. Spencer, Planning Director