



Where Life is Sweet

Members of the Planning Commission
STAFF REPORT
For the Meeting of July 12, 2023

Title/Subject

CONTINUED- Infill Designation- Phoenix Builders Investment Group LLC 4N2811DA TL 2700- 945 E Newport Ave

Summary and Background

At the June 7 regular meeting, the planning commission continued the hearing on the proposed infill designation to allow the applicant an opportunity to collect data on utility and topographic information to determine if extension of E Hurlburt Ave is feasible. As of the date of this memo, additional information has not been submitted to the city for review. In the absence of additional evidence, the planning commission may take a variety of actions on the request.

- Continue the hearing to the August 9 meeting. The August 9 meeting conflicts with the Umatilla County Fair and the planning commission has traditionally cancelled or rescheduled the August meeting to accommodate fair activities.
- Reopen the hearing, take additional testimony and evidence, and render a decision.
- Reopen the hearing with the evidentiary record as it stands, take additional testimony, and render a decision.

Under Oregon law a city must render a final decision within 120 days of the date an application is considered complete, unless this deadline is waived by the applicant. The application was considered complete on May 10. Therefore, a final decision must be made by September 7, 2023. The planning commission is not obligated to grant additional continuances.

The June 14 staff report and findings are written to support the granting of the infill designation. However, should the planning commission choose to render a decision at this meeting, staff recommends that any decision made be a tentative decision and that findings in support of the decision, either approving or denying the application, be prepared and adopted at the next planning commission meeting.

Tie-In to Council Goals

N/A

Fiscal Information

N/A

Alternatives and Recommendation

Alternatives

The planning commission may choose to:

- Continue the hearing to the next available planning commission meeting.
- Reopen the hearing and render a tentative decision either approving or denying the infill designation.

Recommended Action/Motion

Based upon the testimony received at the June 14th meeting and discussion by the planning commission at that meeting, staff recommends that the hearing be reopened and the application be denied.

Substantial testimony was received by the planning commission indicating that it is possible to service the north portion of the subject lot from the terminus of E Hurlburt Ave. At a minimum, this would allow for the creation of one additional lot with 30 feet of frontage on the existing cul-de-sac. This would allow for the creation of eight lots on E Newport Ave and one lot on E Hurlburt Ave, all meeting the design criteria of the city code. There are additional lot configurations which also may create additional lots. It is possible to conventionally develop the lot, and at a higher density than proposed, without additional deviations from development standards.

Submitted By:

Clinton Spencer, Planning Director