

CITY OF MILTON-FREEWATER
PLANNING COMMISSION MINUTES
JULY 6, 2010

The Planning Commission meeting was called to order on Tuesday, July 6, 2010
In the Albee room at the city Library at 7:05 p.m. by Chair Charlie Good.

Commissioners Present: Bob White, Carlotta Richardson, Nathan Lyon, Ben Silva, Scott Gilmore, Charlie Good and Myra Sherwin.

Staff Present: City Planner, Gina Hartzheim and Planning Assistant Sharamé Marlatt.

Citizens Present: Nelsa Bois-Jolie and Jim Goodenough.

Chair Good asked if there were any corrections or amendments to the meeting of May 3? Commissioner Richardson mentions one; she was the one that talked about the walking trail along the river. The minutes were then approved with correction.

The public hearing was then opened to discuss the refilling of the preliminary plat received from Manford Anliker for a 41 lot planned unit development to be located at the south end of Walnut Street. (R-2, medium density residential zone). Chair Good read the rules for public hearings. Notice of the hearing was published according to law and there were no written comments received. Gina then gave the staff report. The subject property consists of approximately 8 acres and is zoned R-2. It is located on the west side of unimproved Walnut Street. Surrounding property is zoned R-2 as well. The Technical Review Committee met previously and reviewed the preliminary plat. Their recommendations are contained in the notes of their meeting attached to the staff report. There were no new comments. The subject parcel is an R-2 zone which allows up to 8 units an acre outright, and under a conditional use permit and under certain circumstances it allows for up to 16 units an acre. These 8 acres could allow as much as 66 units for this development and the applicants desire to develop a maximum of 41 units on this property. There is adequate water supply to support this project as well as sewage disposal. The proposed subdivision is fronting an unimproved section of Walnut Street. The cul-de-sac is more than sufficient in size to meet the current fire code requirements. The internal streets are designed to include paving, curbing, and sidewalks throughout the development to the standards that would be required for City streets. The Walnut Street portion of the project that is currently unimproved was recommended by the Technical Review Committee to be improved with a half street type of construction which is an allowed construction under the code. There would be a 25 foot wide pavement area with sidewalk on the development side of the project. The Technical Review Committee recommended approval of the street names as submitted by the applicant. Any public works improvements would be done under a public works improvement agreement and construction plans would need to be drawn up by an engineer and approved through the Public Works Department. Applicants are intending to provide a small park area to be enjoyed by the homeowners and will be maintained through the homeowners association. There are two alleys that the developers will pave to roughly 14 feet in width that will help serve the development. Front yard setbacks do not appear to be an issue in this particular development

because there are no front yards located on the perimeter of the property. Rear yards located on the perimeter will need to meet minimum setbacks of 18 feet. R-2 zoning additionally requires a carport or garage to be built in conjunction with the residence. All of these standards will be addressed upon the review of the individual plans submitted for development. The other item that comes into play with a planned unit development is that any relevant provisions in the Comprehensive Plan have been met by the proposal. It is mapped residential, and in the Comprehensive Plan our Housing goal within the City does encourage the development of a wide variety of home types and housing opportunities that would range from single family to condominiums, multi-family, or planned unit types of developments. This development will provide for a variety of lot sizes and also provide for some private park common space areas which is a welcome addition to Milton-Freewater. With the recommendations of the Technical Review Committee staff recommends the reapproval of the preliminary plat

Chair Good asked if the applicant would like to speak, Gina then indicated that he was not present.

Chair Good asked if there were any citizens opposed to the refiling.

Chair Good then asked if there were any questions from citizens. Jim Goodenough then asked if the propped fencing was going to be up to the home owners or if it was part of the development.

Gina stated that there are no plans by the developer, they are leaving that up to the individual property owners as they build.

Jim then asked if the proposed alleys were going to run between the western most houses and his property.

Gina confirmed that the alleys will not run between his property and the new houses that they will run more of an east-west direction.

Chair Good asked if the commissioners had any questions or any changes since the last approval.

Commissioner White said that he remembers that all of the major complaints concerning the new development pertained to things out of the Planning Commission's realm.

Chair Good said the biggest issue was the right of way of the main road coming in. But that got worked out with Public Works director Howard Moss.

Gina said also that she didn't mention in staff report that the proposal is for the development to be constructed in two phases.

Jim Goodenough asked if there was a plan for the ditch or if it just remained as is.

Gina said that the ditch will essentially remain the same, they would need to insure that they can potentially handle any storm water that may come through. They do not want individual property owners to fill the ditch in. Also property owners that border the ditch would be responsible for maintaining the ditch.

Jim Goodenough stated he still had question in clarifying responsibility on keeping the ditch clean because it is not being maintained at the current time.

Gina then read from the Technical Review Committee's notes that with regards to the Milton Ditch Area the City does not desire to accept an easement for this area which should remain under ownership by individual property owners.

Commissioner Lyon asked if each lot would own a portion of the ditch.

Gina said she believed so, but it may depend on where the property line falls in the ditch. All lots would be marked so the lines would all be clearly apparent.

There being no further comments Chair Good then closed the public hearing.

Commissioner White then made a motion to approve the development as discussed and to adopt the findings. Commissioner Sherwin seconded the motion and the motion passed unanimously.

The second public hearing was then opened to discuss the variance request from Nelsa Bois-Jolie to allow creation of a lot with 15 foot of street frontage at 325 Powell Rd. Flag lot portion will be off of Lamb. Notice of hearing was published according to law and there was one written comment received from property owners at 328 Powell Rd, Mr. and Mrs. Farley, who stated that they did not object to the request and doing so will not affect them in any way. Gina then gave staff report. The subject property that is the basis of this hearing consists of approximately 2 ½ acres, and is situated one parcel in from the corner. It is zoned R-3 and is surrounded by a combination of R-3, R-1 and EFU zoned property. The property currently has one main home and several small rental homes on it. The surrounding property to the west contains very small rental units and a very old mobile home, with the rest of the surrounding property being developed predominantly with single family dwellings. Applicant has maintained the property for many years, repairing and tearing down as necessary the small rental units. Applicant now desires to sell a portion of the property which will create a more manageable piece of property for a separate owner as well as herself. The proposed lot has been accessed for years utilizing the 15 foot wide strip on Lamb Street, along with the 15 foot wide easement that is parallel to applicant's property. The subject property far exceeds the minimum lot size for R-3 zone, there is enough square footage available to potentially create 8-10 lots, but as the property is located in a rural setting and almost surrounded by R-1 zoned property, applicant wants to take into consideration the surrounding property on Powell Road and not create small lots. The variance would allow applicant to divide her large parcel into more manageable and marketable lots. Most of the surrounding property owners in the area have 10,000 square foot minimum lots size, and the size of the newly created lots will be more in

line with the size of the lots in the surrounding vicinity. In addition, the reduction in the size of the lots would help reduce the number of units that would be built on the parcels, thereby helping maintain more of a single family dwelling development pattern in the neighborhood. There is no change that is being proposed in what is located on the lots at this time; however, there will be a nice home site created by the new lot. This in turn would create less traffic and noise in the neighborhood. Based on the above, the property within the vicinity with respect to traffic, noise, health and sanitation and hours of operation. A new fire hydrant may be needed to serve any new structures. There is a 15 foot wide strip of land owned by applicant that borders on Lamb Street that until recently has been used for access off of Lamb Street in conjunction with the adjoining easement for many years to the northern part of the subject property. This has been temporarily blocked off by the applicant to solve some dumping issues. As there are already two small homes existing on the property, there is ample room for construction of another home or possibly a duplex, which would utilize more of the property's potential. As there is only 15 feet that is owned by applicant, that is the smallest (as well as the largest) amount of variance that applicant could request. Subject to any potential utilities issues that may be addressed at a staff level, staff recommends approval of the variance.

Chairman Good asked the applicant if she would like to speak.

Nelsa Bois-Jolie, 325 Powell Road, Milton-Freewater, stated she would like to divide off the back end of this property. It's the logical part to take off at this point. She has given it a lot of thought and feels it is the right thing to do for the neighbors because it is a nice neighborhood and there are home nice homes there. She thinks it would be wrong to build massive housing.

Chair Good asked if any Commissioner had any questions.

Commissioner White then stated that there will be a need for another fire hydrant in the event that a new house be built.

There being no further questions or comments, the hearing was declared closed @ 7:45 pm.

Commissioner White then made a motion to approve with the exception of the fire hydrant being addressed and to adopt the findings. Commissioner Sherwin seconded the motion. The motion passed unanimously.

Administrative actions : Reviewed and discussed.

No comments at this time.

No Planning updates.

Gina mentioned that she doesn't anticipate anything for the regular scheduled meeting on August 2 but in order to accommodate the City Council for the new Flood Plain ordinance to be adopted there will be a joint Planning Commission/ City Council meeting August 9.

There being no further discussions, the meeting was adjourned at 7:54 pm.