

CITY OF MILTON-FREEWATER  
PLANNING COMMISSION MINUTES  
April 1, 2019

The Planning Commission meeting was called to order on Monday, April 1, 2019 in the Albee Room of the City Library, 8 SW 8<sup>th</sup> Avenue Milton-Freewater, OR 97862 at 7:00 p.m. by Chair Lyon.

Commissioners Present: Chair Nathan Lyon, Commissioners Frank Millar, Wes Koklich, and Lupe Contreras were present. Commissioners Myra Sherwin and Mary Ward were absent with excused absences. Commissioner Carlotta Richardson was also absent.

Staff Present: City Manager Linda Hall, City Planner Laurel Sweeney, and Planning Assistant Lisa Wasson.

Citizens Present: Barry Weis, 84112 Eastside Road; Doug Guillon, 2550 Lakewest Drive Chico, CA 95928; Steve and Cindy Timmons, 54171 Miller Road; Paul Seaquist, 684 College Street; Aaron Hoeft, 2404 Stateline Road Walla Walla; Steve Honeycutt, 2550 Lakewest Drive #50 Chico, CA 95928; Sean Goldbach, 500 Elzora Loop; Andrea Moore, 85025 March Road.

The minutes of the January 7, 2019 meeting were approved as written.

Citizen Concerns: None shared.

The hearing was then opened for the consideration of the request from Spyglass LLC for preliminary plat approval of 49 lots on 12.04 acres located between Key Boulevard and Basket Mountain Road.

Rules for a public hearing were read. No members of the Commission abstained or disclosed ex parte contact. City Planner Laurel Sweeney stated that the notice of the hearing was published as required by law. No written comments have been received.

City Planner Sweeney provided the staff report, which is printed below.

I. SITE DESCRIPTION

The subject property is located on the east side of Key Boulevard and on the west side of Basket Mountain Road. It is located within the city limits and the urban growth boundary. The site slopes gently to the east and it has views of the mountains. The surrounding properties are zoned Residential Mixed Use (RM) to the south, Business Park (BP) to the north and west, and R-3 Residential to the east. Dunning Irrigation is located adjacent to the site to the west; all other adjacent properties are undeveloped.

II. BACKGROUND

The Site Plan Review/ Technical Review Committee met and reviewed the preliminary plat. Their comments are contained in the attached packet.

The review comments were addressed in a phone conversation. Generally the revisions that were discussed included revising the location of the sewer line along the east property line as requested. It will be relocated in the Basket Mountain Road right of way. An easement may be necessary on the easterly portion of Lot 4 to accommodate the connection to the sewer line at the north property line. (Comment 1)

Storm water will be addressed according to City Policy and will be approved prior to final plat approval. (Comment 2)

The applicant has agreed to an 8.5 foot utility easement on both sides of the proposed street. (Comment 3)

The phasing of the project was discussed and is proposed to be modified according to the attached preliminary plat map.

### III. CODE PROVISIONS

11-7-1            INFORMATION REQUIRED ON LAND DEVELOPMENT PLANS  
11-3-6            DEVELOPMENT REVIEW CRITERIA

#### PRELIMINARY PLAT – APPLICABLE CODE PROVISIONS

11-7-1:            Information Required on Land Development Plans:

Findings:        The information required under this Chapter is contained either in the preliminary plat itself or the documents submitted with the plat, and therefore meets this requirement.

11-3-6:            Development Review Criteria:

In conducting a public hearing for review of any development proposal subject to Level III procedure (Section 11-13-4), the Planning Commission shall review the proposal for conformance with the following items:

- (1) Reports from members of the Technical Review Committee and such other agencies as have responded to the factors listed in Section 11-3-5 of this Chapter, which are as follows: (A) Preliminary plat requirements; (B) Conformance to zoning and Comprehensive Plan provisions with particular emphasis on the Public Facilities Plan; (C) Quantity and quality of existing or proposed water supply, adequacy of the existing or proposed sewage disposal system to support the projected population; or in the event that sub-surface sewage disposal is proposed for any of the parcels of the development, the capability of the soil for the proper long term support of such a system or systems; (D) Relationship to existing road network; and (E) Avoidance or remedy of possible adverse effects on the development by natural hazards. Land which is

found to be technically unsuitable for development due to flooding, steep slopes, rock formations or other features likely to be harmful to the safety and general health of the future residents, shall not be developed for building purposes unless adequate methods for overcoming these conditions are submitted by an appropriate state licensed engineer and approved by all agencies which regulate the technical unsuitability.

Findings: The Site Plan Review/Technical Review Committee, after their recommendations were complied with, found that the factors and requirements of Section 11-3-5 would be met. See report of the Committee's meeting attached hereto and incorporated herein.

- (2) Tentative Subdivision Plan presentation as prescribed by Chapter 7 of this Title. (See attached checklist for items required to be on plan).

Findings: The preliminary plat is in conformance with Chapter 7 and satisfies this requirement.

- (3) Statement to accompany Tentative Plan as required by Chapter 7.

Findings: All of the requirements of Chapter 7 relating to the preliminary plat have been satisfied.

- (4) Public comments received by the Planning Department which relate only to the compliance of the proposal with items 1 through 3 of this subsection and the review factors of Section 11-3-5. Comments which do not address these items will not be considered in reaching a decision on the proposal.

Findings: Any correspondence or documents received by the Planning Department will be submitted for the Planning Commission's consideration at the time of the hearing.

#### GENERAL COMMENT

The proposed subdivision will provide much needed additional housing opportunities within the City. Although a storm water plan has not been submitted yet, discussions indicate that this will be addressed prior to final plat approval.

#### STAFF RECOMMENDATION

Staff recommends approving the preliminary plat with the conditions 1-3 recommended by the Site Plan Review/ Technical Review Committee.

The applicant was then invited to speak.

Steve Honeycutt, the Manager of Development and Construction for Guillon Construction, 2550 Lakewest Drive #50 Chico, CA 95928 introduced himself and the other project members; Doug Guillon, the President and Owner of Guillon Construction,

Aaron Hoeft, Civil Engineer with ACH Engineering, and Paul Seaquist, who will handle the brokerage. Mr. Honeycutt stated that they are excited to be in Milton-Freewater. Guillon Construction has developed several hundred homes in California. They believe that they are partnering with the Milton-Freewater community to provide the housing that Milton-Freewater needs. They have had interactions with people in the Milton-Freewater community that are interested in a new subdivision. Guillon Construction has decided to build the project in phases because they are new to the Milton-Freewater market and Milton-Freewater has not had a new subdivision recently. Mr. Honeycutt stated that his company is experienced in phasing. Mr. Honeycutt closed by saying they are happy to be in Milton-Freewater, they have felt welcomed by the City and hope to be starting construction the summer of 2019.

Aaron Hoeft of ACH Engineering, 2404 Stateline Road Walla Walla, WA 99362, then got up to speak. He stated that he developed the preliminary layout and utility extensions. Mr. Hoeft stated that he read the staff report and agrees with it and is happy to answer any questions.

No one testified in support of the proposal. No one wished to speak in opposition.

Chair Lyon asked if the commissioners had any questions. Commissioner Koklich stated that he appreciated that the applicant had staggered the lots in their preliminary plat in order to take advantage of the surrounding views. Commissioner Koklich then asked the applicant if they would consider building more lots if they are successful. Mr. Honeycutt stated that as long as the Milton-Freewater market accepts them, Guillon Construction will provide for the market.

Doug Guillon of Guillon Construction said that he has met with several bankers in the area and they all see Guillon Construction's decision to move into the Milton-Freewater market as a smart move.

Commissioner Koklich stated that it has been a long time since Milton-Freewater has had a large development. Commissioner Koklich then asked the applicant if the homes would range in square footage and if they would look identical.

Mr. Honeycutt stated that Guillon Construction is planning on building homes that are a range of price points. They are planning on providing quality 3 bedroom, 2 bath single family homes.

Commissioner Millar asked the applicant if there would be one major company doing the building.

Mr. Honeycutt responded that perhaps, yes, there would be one builder. He then stated that everything is subject to performance.

Commissioner Contreras asked the applicant if this project would hire any local workers.

Mr. Honeycutt responded that Guillon Construction would like to use local employees as much as they can. He then stated that they will be subcontracting everything out

and that the first homes will be by HiLine Homes. Mr. Honeycutt added that they will have 4-5 floor plans and 3 variations of front elevations.

Commissioner Koklich asked if the homes will be stick built on site. Mr. Honeycutt responded that yes, the homes would be stick built.

Chair Lyon asked if the applicant did any research on the types of homes that would sell well in Milton-Freewater.

Mr. Honeycutt stated that the research they did concluded that a 7,000 square foot lot would be appropriate for the Milton-Freewater market. He added that Guillon Construction feels that single story homes are important for the site in order to maximize the views to the east. In regards to research of the floor plans of the homes, Mr. Honeycutt said it is a matter of how many bedrooms and how many baths prospective buyers want. He ended by saying that Guillon Construction is ultimately successful if they are selling the homes.

Commissioner Millar asked if the lots off of Basket Mountain Road would have access from Basket Mountain Road. City Planner Sweeney responded that it is too steep there so all access would be from the internal streets. Commissioner Millar asked if the lots in the southwest corner, off of Key Boulevard, would just have access off of Key Boulevard. Mr. Honeycutt responded that yes, the four lots in the southwest corner would have access off of Key Boulevard. All other lots, Mr. Honeycutt stated, are oriented internally and would have access via the internal streets.

The Public Hearing was declared closed.

Commissioner Millar made a motion to accept the proposal as stated in the Staff Report and to adopt the findings. The motion was seconded by Commissioner Koklich and all present voted in favor. Motion carried 4-0.

The Public Hearing was then opened for the consideration of the request from Spyglass LLC for a variance request for the reduction of minimum lot widths for seven lots total, which includes 4 flag lots and 3 non flag lots for the Vista Ridge preliminary plat located between Key Boulevard and Basket Mountain Road.

The rules for the Public Hearing remained the same as for the last hearing. No members of the Commission abstained or disclosed ex parte contact. City Planner Laurel Sweeney stated that the notice of the hearing was published as required by law. No written comments have been received.

City Planner Sweeney provided the staff report, which is printed below.

#### I. SITE DESCRIPTION

The subject property is located on the east side of Key Boulevard and on the west side of Basket Mountain Road. It is located within the city limits and the urban growth boundary. The site slopes gently to the east and it has views of the mountains. The

surrounding properties are zoned Residential Mixed Use (RM) to the south, Business Park (BP) to the north and west, and R-3 Residential to the east. Dunning Irrigation is located adjacent to the site to the west; all other adjacent properties are undeveloped.

## II. BACKGROUND

Through the design process of the preliminary plat the applicant became aware of the need for a variance to four flag lots that are a minimum of 20 feet at the street frontage and three lots that are a minimum of 45 feet at the street frontage. Section 10-5-9 of the Milton-Freewater Zoning Code states that "residential lots fronting on streets other than a cul-de-sac shall have a minimum frontage of fifty feet (50') on a dedicated public street." Lots 4, 14, 15, and 20 are proposed flag lots and lots 5, 16, and 19 have less than 50 feet of street frontage.

## III. CODE PROVISIONS

### 10-10-5 CONDITIONS FOR GRANTING VARIANCE:

All variances other than minor setback variances shall be heard by the Planning Commission in accordance with Level III processing procedures.

In granting a variance, the Planning Commission shall find that the following conditions have been met:

- (A) Exceptional or extraordinary circumstances apply to the property itself such as lot size, shape, or topography, which do not apply generally to other properties in the same zone or vicinity and result from a situation over which the applicant has no control.

Findings: The subject property is in a unique location within Milton-Freewater. The exceptional views to the east and the topography found onsite pose extraordinary site conditions and the need for create lot design. By allowing the variance request, there will be more east/ west oriented lots so more residents will be able to enjoy the views and the natural beauty of the property.

- (B) The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity.

Findings: The variance would allow the applicant to divide the parcel into lots that are marketable as well as take advantage of the natural beauty of the area.

- (C) The granting of the proposed variance will not be materially detrimental to property within the vicinity in respects to public safety, traffic, noise, health and sanitation, and hours of operation. The granting of a variance shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district.

Findings: The proposed minimum lot width of 20 feet will still allow a sufficient width for access to the property, including access for emergency vehicles, and therefore staff feels that the variance would not be materially detrimental to property within the vicinity with respect to public safety or traffic. Noise, health and sanitation, and hours of operation do not appear to be relevant to this request.

- (D) It must be shown that a material hardship unwarranted within the intent of this ordinance will exist if the variance is not granted, and that the hardship cannot be remedied by other means. The hardship demonstrated must not be self-created, and must relate to the land itself and not to problems personal to the applicant. The variance permitted shall be the minimum variance which will alleviate the hardship.

Findings: As previously mentioned, the topography of the property lends itself to be more useful with the seven lot widths proposed. The remaining 42 lots meet code requirements regarding lot width. There are examples in town where lots with similar widths have been approved.

#### GENERAL COMMENT

The proposed minimum 20 feet of street frontage would allow enough room for access to these lots. Services such as garbage and fire protection would not be impacted by the reduced lot width. The proposal has not received any opposition to date.

#### STAFF RECOMMENDATION

Staff recommends granting the variance.

The applicant was then invited to speak. The applicant indicated that they didn't have anything to add, but that they were available to answer questions.

No one testified in support of the proposal. No one wished to speak in opposition.

Chair Lyon asked if the commissioners had any questions. Commissioner Millar asked if the driveways on the flag lots would be private driveways that the owners would be responsible for maintaining. Mr. Honeycutt responded yes. Commissioner Millar then asked if there were any requirements from the City regarding surface materials for the driveways. City Planner Sweeney stated that she thought the only requirement would be that the driveway surface would need to be able to hold the weight of an emergency vehicle. She then stated that garbage trucks would not go down private driveways. City Planner Sweeney said she did not think there were any requirements in regards to paving a private driveway. Chair Lyon agreed and said he was fairly certain that private driveways just needed to remain clear for emergency vehicles.

The Public Hearing was declared closed.

Commissioner Koklich made a motion to accept the proposal as stated in the Staff Report and to adopt the findings. The motion was seconded by Commissioner Millar and all present voted in favor. Motion carried 4-0.

City Planner Sweeney presented the Administrative Actions of the Planning Department. She mentioned that there were two zoning permits for two new homes and two sign permits; one for Fry's True Value and one for John L Scott, who recently relocated their business. City Planner Sweeney also stated that Grove School has been completely demolished and construction of the play fields is beginning. Lastly, Ms. Sweeney said that the number of calls and activity has been increasing in the Planning Department.

The meeting was adjourned at 7:32pm.