

CITY OF MILTON-FREEWATER
PLANNING COMMISSION MINUTES
June 2, 2025

The Planning Commission of the City of Milton-Freewater met for an informal pre-meeting study session at 6:30 pm on June 2, 2025 for the purpose of discussing questions on agenda items.

Those present were Commissioners, Megan Norton, Wendy Harris, Nathan Lyon, Myra Sherwin, and Vice Chair Mary Ward.

Staff participants included Planning Assistant Cassidy Ruiz.

No action was taken.

The study session adjourned at 6:59 p.m.

The Planning Commission meeting was called to order on Monday, June 2, 2025 in the Albee Room of the City Library, 8 SW 8th Ave, Milton-Freewater, OR 97862 at 7:00 p.m. by Vice Chair Mary Ward.

Commissioners Present: Commissioners Nathan Lyon, Megan Norton, Wendy Harris, Myra Sherwin, and Vice Chair Mary Ward.

Commissioner Absent: Commissioner Frank Millar.

There is currently one commissioner positions vacant.

Staff Participants: Planning Assistant Cassidy Ruiz was present.

Citizens Participants: Michael Melder – 1365 Beet Rd., Walla Walla, Paul Seaquist – 684 College St., Leanne Steadman – 722 S Main St., Meghan and Shane Abell – 135 Powell Rd., Carolyn Hahn – 250 Powell Rd., Kelly Hahn – 230 Powell Rd., Kaitlyn Slusarenko – 240 Powell Rd., John Brown – 204 Powell Rd., Bryce Sturm – 121 Powell Rd., Mario Garcia – 1122 N Main St., Brady Hawes – 122 Powell Rd., Mike Odman – 305 Parkview St., Cindy Timmons – via conference phone, Chad Morris – 722 S Main St.

Vice Chair Mary Ward asked if there were any corrections or additions to the April 7, 2025 minutes. None were stated. Commissioner Wendy Harris motioned to approve the April 7, 2025 minutes as written. Commissioner Megan Norton seconded the motion. All

were in favor for approval. Motion carried 5-0. The minutes of the April 7, 2025 meeting were approved as written.

Vice Chair Ward stated that a new Chair and Vice Chair needed to be appointed as per City Code. Commissioner Ward motioned to appoint Nathan Lyon as Planning Commission Chair. Commissioner Sherwin seconded the motion. All were in favor. Commissioner Sherwin motion to appoint Mary Ward as the Planning Commission Vice Chair. Chair Lyon seconded the motion. All were in favor.

Citizen Concerns: None shared.

The public hearing was then opened for the Zoning Map Amendment received by JM Land Development LLC to change property zoning, located at 6N3535DC Tax Lot 3301 from Residential Low-Density (R-1) to Residential High-Density (R-3).

Rules for a public hearing were read. No members of the Commission abstained or disclosed ex parte contact.

No audience member objected to any commissioner's right to participate in the public hearing.

Planning Assistant Kassidy Ruiz stated that the notice of the hearing was published as required by law.

Planning Assistant Kassidy Ruiz stated that three written comments were received by the Planning Office. One letter was received by Grasiela and Fausto Ramos located at 1118 N Main Street. Their letter was not in opposition of the amendment, but requested that their concerns be entered into the public record for both the Planning Commission and City Council meetings. The Staff Report and Zoning Map were sent to the Ramos' after they requested additional information on the amendment. The second written comment was received by Arturo Marroquin De Aquino located at 1122 N Main Street. Their letter was not in opposition of the amendment, but requested that their concerns be entered into the record for both the Planning Commission and City Council meetings. The Staff Report and Zoning Map were sent to Mr. Marroquin De Aquino. The third letter that was received was from Isaias Campos & Gloricel Rojas located at 1119 N Main Street. Their letter was not in opposition of the amendment, but requested that their concerns be entered into the public record for both the Planning Commission and City Council meetings. Mr. Campos and Ms. Rojas did not request additional information on the amendment. Each letter was provided to the Commissioners and

copies were available to the public for review. Copies of all three letters will be attached to these minutes.

Planning Assistant Kassidy Ruiz provided the staff report, which is printed below.

I. BACKGROUND

The subject site has no current structures built on it and has been used for agricultural purposes in the past. The property was partitioned earlier this year by Benchstone Estates (1131 N Main Street) and sold to JM Land Development LLC with the intentions of subdividing the property for additional housing units. The site fronts on N Main Street and is approximately 3.32 acres in size. The applicant intends to change the Zoning of the property to accommodate smaller residential lots.

The land is suitable and available for residential uses, but has not been developed for this purpose. According to the City of Milton-Freewater's Comprehensive Plan - Goal 10: Housing, Milton-Freewater provides a full range of housing types in a variety of price ranges and rent levels. JM Land Development LLC is proposing their future development to bring in medium-income housing for the city. By focusing on medium-income housing, this proposal will meet Goal 10 and decrease the gross vacant acreage of R-3 land within Milton-Freewater.

The applicant is intending to rezone the property to maximize the density of the parcel, while still being able to build single family residences or allow duplex rental units on four lots. With the intention of smaller lots, more housing units can fit on the parcel, distributing the land cost across more lots, reducing the price per unit. Smaller lots will encourage the construction of smaller homes, which are less costly to build and buy/maintain. Making them more accessible to perspective buyers.

II. SITE DESCRIPTION

The subject property consists of approximately 3.32 acres and is bordered by Residential Low-Density (R-1) properties to the north and west, Residential Medium-Density (R-2) to the east, and a mixture of Residential Medium-Density (R-2) and Residential – High Density (R-3) to the south. The property is surrounded by single family homes, except the parcel directly to

the west, which is used for agriculture purposes, but is zoned Residential Low-Density (R-1). The property itself does conform with the City's Comprehensive Plan.

III. APPLICABLE CODE PROVISIONS

Chapter 12: Amendments

10-12-1: An amendment to the text of this Ordinance or to the Zoning Map may be initiated by the City Council, Planning Commission, or by application of a citizen.

Findings: The amendments were initiated by the applicant, who is a developing group.

10-12-2: Amendments to the text of this Ordinance or to the Zoning Map shall be processed under terms of the Level IV procedure in Section 10-3-10.

Findings: The amendments were processed as a Level IV procedure in accordance with this chapter.

10-12-3: In the Planning Commission report to the City Council, and in the City Council's action after review of the Planning Commission's report, the following standards shall be addressed:

(A) The proposal is in conformance with all applicable provisions of the Comprehensive Plan text and map of land use designations.

Findings: The proposal conforms with applicable provisions of the Comprehensive Plan.

(B) The proposal addresses a need which was improperly or inadequately addressed by the present ordinance text or map.

Findings: By amending the property zone to a higher density, the City Zoning Code will allow residential lots to be 5,000 square feet rather than 7,500 square feet. With the required size of lots being smaller, the applicant can construct more housing units within the parcel. This would provide more housing options for the city, thus supporting the goal of developing additional housing within Milton-Freewater.

The site is surrounded by single family residential lots, which makes the site more desirable for additional housing.

10-12-4: The City Recorder shall maintain records of text and map amendments.

Findings: As part of City procedure, the appropriate records will be maintained.

IV. GENERAL COMMENT

The Residential High-Density (R-3) designation is an appropriate designation for this property based on the applicant's development intentions for subdividing the property for additional housing units.

V. STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the amendments.

The applicant was then invited to speak.

Michael Melder introduced himself and spoke briefly on his project. Melder stated that he and his wife own JM Land Development LLC. He lives in Walla Walla, Washington and has resided there for about 13 years. Melder stated that he is a civil engineer by trade and continued to state his intention for the project is to construct single-family, stick-built homes. Melder stated that if the Planning Commission, then City Council, approves the R-3 amendment, the next steps would be the engineering process for the subdivision.

Chair Lyon asked if there were any members in support of the applicants.

City Manager Chad Morris stated that he met with the applicant several times about his project along with Planning Assistant Cassidy Ruiz. Morris stated he wanted to make it clear that the City of Milton-Freewater is in support of the applicant's project of constructing single family homes on smaller lots because it could help with one of the

major problems that the City faces which is affordable housing. Morris stated that this project isn't going to qualify as "low-income housing" but it will be a lot more affordable than some of the other subdivisions with larger properties. Morris stated that Planning Assistant Cassidy Ruiz looks at the project from a Planning standpoint and what state law requires to recommend approval or denial from City staff.

Chair Lyon asked if there were any members in opposition of the applicants.

Brady Hawes located at 122 Powell Road, stated that his main concern is the loss in his property value once development happens on the subject parcel. Hawes included his additional concerns were over population in a small area, noise pollution, and extra vehicles and traffic. The neighbor to the east of Mr. Hawes couldn't attend the meeting, but Hawes mentioned that this property owner had the same concerns.

Hawes asked the Planning Commission if all neighboring properties are in opposition of the Zone Change, would that have any effect on the Planning Commissioner's decision.

Chair Lyon responded saying that the Planning Commission takes in consideration everything that is presented at the Public Hearing and then will vote on the recommendation to City Council. At that point City Council will have a Public Hearing and will vote on the amendment, making the final decision.

Hawes states that his property tax values are already high. Hawes asked if there were something that can be done to adjust the cost. He didn't think anyone would want to buy his home if it was next to an apartment complex.

Planning Assistant Cassidy Ruiz stated that Umatilla County handles property tax evaluations, not the City of Milton-Freewater. Ruiz then confirmed with the applicant, Michael Melder, that the proposed future project would not be an apartment complex. Melder confirmed.

City Manager Chad Morris stated that if Mr. Hawes property value did go down, the County Assessors would be the entity to make that adjustment. Morris stated that the City of Milton-Freewater does not have any control over property value.

Kelly Hahn located at 250 Powell Road, stated his main concern is additional traffic in the area. Hahn explained that since Powell Road had been widened, the road is extremely busy. Hahn stated that the applicant mentioned single family homes, but it was also mentioned in his application the construction of duplexes on the property. Hahn expressed that the applicant can state one thing and completely construct something else.

John Brown located at 204 Powell Road, stated his concerns are, traffic, how many homes are being constructed, and infrastructure management. Brown then stated that he has water rights along that area and has some concerns with how that will be affected.

Chair Lyon wanted to confirm that Mr. Brown had water rights that run through the subject property.

Brown confirmed and added that their water rights come out of the ditch, through a couple of weirs, across the subject property, comes in through the back of Brady Hawes property, cuts across the back of Browns property, through Kelly Hahn's property, and across the street to Shane Abell's property. Brown stated that the water rights are very old, which creates a concern for when excavation work begins.

Brown added that traffic was a big concern. On Powell Road and North Main Street, traffic is already busy. Additional housing will cause more traffic concerns.

Chair Lyon asked if anyone knew how many water rights ran through the subject property. The audience did not have a specific number but it was stated that there a quite a few affected properties.

Michael Melder stated that he is aware of the pipe that comes from the diversion on the South side of the property, which is located on the West side of the subject parcel's property line. The property line was strategically placed in this located to avoid the pipe. Melder is aware that several people have the artesian pipe, which he is trying to avoid. If the pipe is not where it should be, it would be up to Melder to replace or relocate the pipe.

Paul Seaquist located at 684 College Street, stated that the property located in the North Main area was originally zoned R-1 for a reason. The reason being to end up with larger lots where nicer, larger homes could be built. Changing the zone to R-3 opens up Pandora's Box in the fact that today, the plan could be to construct single-family houses, but then tomorrow the plan of placing an apartment complex in the area could happen. The R-3 zone would allow that use.

Carolyn Hahn located at 250 Powell Rd, asked if the zone was changed to R-3, later in the future, would the adjacent lot, located at 1131 N Main, also be changed to R-3.

Planning Assistant Cassidy Ruiz responded stating that an application would need to be submitted by the property owner requesting for the Zone Change. Ruiz included that the agricultural property is currently zoned R-1.

Carolyn Hahn then stated that there are a lot of children present on both sides of Powell Road. The traffic is very busy, even when the Police Department regulate it once they are gone, the traffic picks right back up. Hahn stated that she has had to chase several people off her property and this project will just be adding more to the problems in the area.

Chair Lyon asked Michael Melder to come back up to the podium to answer more questions from the Commission and the citizens present.

Chair Lyon asked if the subject parcel is a part of the adjacent/conjoined lot.

Melder stated that he bought just the one lot, the subject parcel. Melder stated that the entire lot was roughly 7.5 acres and JM Land Development LLC bought the easterly portion of 3.32 acres. The other portion is owned by Benchstone Estates, who is not owned by Melder.

Chair Lyon asked if Melder had looked into what type of project he could do with an R-2 zone. Melder confirmed. Chair Lyon asked how many parcels could fit on the property if zoned R-2. Melder responded that he did not have that information, but based on his geometry and what economically made sense was to change the zone to R-3 for the smaller lots.

Commissioner Sherwin asked how many homes the applicant was planning on putting on the parcel and if he was planning on placing apartments on the parcel.

Melder stated that he is not planning on placing apartments on the parcel and he wasn't sure as to how many homes he plans to place. Melder explained that an R-3 zoned property gives him some flexibility. R-3 zoned lots allow 5000 square feet lots for single family residences and 7500 square feet for a duplex lot. Melder continued to say he is not planning on placing any trailers on the property either. His plan to place stick-built homes, single family residential, and his plan is to convert four of his lots into duplex lots. He has not gone through the engineering phase to see if that option is possible.

Commissioner Harris asked for clarification from Melder by asking if he was intending four duplex lots in addition to other single-family residential lots. Melder confirmed and stated 15-20 single-family lots could be proposed, but wasn't entirely sure.

Brady Hawes asked the applicant what he was proposing for roads.

Melder responded stating that it is too early to tell. Based on what the zoning classification will be, will depend on the layout of the subdivision.

John Brown then asked what the difference between R-1, R-2, and R-3 in lot size. Planning Assistant Kassidy Ruiz stated that R-1 minimum lot size is 7500 squares, which is incorrect and needs to be corrected to 10,000 square feet. R-2 minimum lot size is 7500 square feet and R-3 is a minimum of 5000 square feet. Those measurements are for single family housing lots.

Brady Hawes then asked why the applicant needs to rezone the property in which Planning Assistant Kassidy Ruiz stated and got confirmation from the applicant, that the applicant would like to rezone the property to allow for smaller lots. Smaller lots would allow more lots on the parcel.

Shane Abell located at 135 Powell Road asked what the mid-level price range would be for the developed homes.

Melder stated that the price range would be driven by the market at that time. He stated that the size of the homes would be about 1200 to 1400 square feet, that could potentially be two story. Market conditions will drive the cost.

Meghan Abell located at 135 Powell Road asked if he was using today's market, what would those houses be sold for. Melder responded that he was not in real estate, so he did not know. He plans on when the time comes, to talk with local realtors and create a competitive price.

Brady Hawes then stated that he heard that this project could possibly be affiliated with an assisted living purpose or assisted income.

Melder stated that he never did mention that and he was not affiliated with assisted living.

City Manager Chad Morris stated that earlier in the meeting he mentioned that this project doesn't meet the definition of affordable housing, but its more affordable than other expensive properties in the area.

Melder then stated that if Hawes was asking if the project was subsidized living, that was not his plan.

Kelly Hahn then stated that he assumed that Melder has been in the business for a while because he had mentioned that he has been in the area for roughly 13 years. Hahn did not like the fact that Melder did not know what the cost estimate for the homes would be.

City Manager Chad Morris stated that his economic guess would be around \$300,000 homes. Morris stated that he is not an expert option, but is comparing the costs to the

houses located on the South Hill, which range from \$300,000-\$400,000. Morris stated that is why he is in favor of the smaller lots is because a lot of citizens cannot afford to pay that kind of money for a home.

Brady Hawes asked if Melder were to place duplexes on the property, no one would buy them, so they would be rented out. Melder stated he is not a land lord.

John Brown asked if Melder was the planner and property developer for the project. Melder responded stating he was the civil engineer for the project. Brown then asked if Melder was going to subcontract out the construction work in which Melder confirmed.

Melder then explained by stating there will be a General Contractor who will build the infrastructure once permitted to do so and then he wasn't sure if he would be a track building or sell off individual lots.

Brown then asked if someone could buy a piece of the property and have JM Land Development build a home on it for them. Melder stated possibly.

Brown then stated that in that case, someone could buy the duplex lot and then have low-income housing in the duplex.

Discussion broke out in the audience where Chair Lyon gave the attention of the group. Lyon asked that one person talk at a time for the record.

Melder stated that he thought that the discussion has gone outside of the scope of the Public Hearing in which Chair Lyon agreed.

Melder stated that at this time the application is on its face and whether he plans to build them and sell them or build them and retain them, is to be determined. Melder stated that it would possibly be 8-10 months before the project would even start.

Shane Abell stated that Melder's general idea, it seems as though he has some flexibility. Abell asked what the private property owners can do to reassure themselves that Melder's idea is going to be just that and not be changed.

Chair Lyon stated that in this Public Hearing the only thing that is being voted on is the Zoning Map Amendment from R-1 to R-3. The subdivision plan concerns are premature.

Shane Abell then asked what is the history of the property. Abell continued to ask if the property has ever been considered for residential uses.

Chair Lyon stated that when they took the orchard out in plans of putting in a vineyard. He didn't think the property had ever been considered for residential development.

Brady Hawes then asked how many people would be voting on the Zoning Map Amendment.

Chair Lyon confirmed by asking if Hawes meant the current Public Hearing in which Hawes confirmed.

Chair Lyon stated that the Planning Commissioners will vote on it, which is 5 members.

Hawes then stated that 5 people would be voting on the fate of their neighborhood in which Chair Lyon disagreed stating that the Planning Commissioners are making a recommendation to City Council and then City Council would be making the final decision.

Hawes stated that he speaks for all his neighbors when saying that the zone should remain R-1 and that enough houses can be placed on the property within that zone.

Cindy Timmons via the conference phone apologized that she was not able to attend the meeting. She wanted clarification that this specific Public Hearing is in front of the Milton-Freewater Planning Commission and that the Planning Commission will make a recommendation that will be taken in front of the Milton-Freewater City Council, and City Council will make the determining vote. Planning Assistant Cassidy Ruiz confirmed. Timmons wanted clarification that the recommendation is regarding changing the zoning on the subject parcel. Ruiz confirmed.

Carolyn Hahn wanted confirmation that the City had already met with the applicant and is in favor of his project. City Manager Chad Morris stated that it is staff's recommendation to recommend approval to City Council.

Carolyn Hahn then explained how she went through the Land Use process and was denied, but then was approved after corrections were made to their plans. Hahn stated that her concerns are that an engineer can come in and the City approves his plans but a normal citizen comes in wanting to develop their property and is denied.

City Manager Chad Morris stated that he could assure Ms. Hahn that staff's recommendation had nothing to do with the applicant himself. Morris stated that when he was hired, he was hired to try and bring in a different way of looking at the City and try and bring life back into the town. Morris continued to say that million-dollar homes could be built in the city, but no one would be living in them because they cannot afford them.

Meghan Abell stated her concerns for the traffic increase in the area. Abell mentioned that her concerns are probably best for City Council, but wanted to state that if the

project is developed, more people and children will be around creating a safety concern.

Shane Abell stated that this project is lucrative to the City. City Manager Chad Morris stated in the big picture, this project would indeed bring in more revenue to the city. Abell stated that he feels as though the City is pushing this project through because it is better for the City. Abell continued to state that he felt as though the neighboring property owners did not have a say in the matter and that it comes down to money.

Abell then asked in an R-3 Zone, what can the applicant not do. Can he build a trailer park on that property? Chair Lyon stated yes.

Michael Melder asked if the Commissioners or Planning Assistant Kassidy Ruiz could speak to the Zoning regulations and what is and isn't outright approved.

Planning Assistant Kassidy Ruiz stated that within the code from R-1 to R-3 there are different ways uses can be allowed. There are outright approvals, site plan approvals, approvals that have to be allowed through the Planning Commission, and uses that have to be taken in front of the Planning Commission and then either approved or denied through City Council. In each zone there are different approved uses than in other zones.

Brady Hawes then asked the Commissioners what their thoughts were and what they wanted to see for the project.

Chair Lyon stated that Mr. Hawes would hear the answer to his question when the Commissioners vote. Lyon stated that the Commissioners were voting on the change of zone, not the idea of a subdivision, housing, apartments, etc.

Brady Hawes then asked that if this passes then Melder could come back and decide to place apartments on the parcel.

Commissioner Sherwin stated that if he planned to do that then he would have to come back to the Planning Commission to get approval for the use. Sherwin stated that the Planning Commission does consider quite a lot before deciding on anything.

Meghan Abell asked where she could find the City Code. Planning Assistant Kassidy Ruiz gave a brief description as to where she could find it, but stated that if she couldn't find it, to contact the Planning Department and a link could be sent to her.

Kelly Hahn then stated that he was concerned that Melder could not answer a question during the public hearing with certainty.

Chair Lyon stated that the applicant doesn't have plans until the zoning is confirmed in which Melder confirmed.

Melder stated that the plan drafters are about \$160 per hour. If he plans for an R-3 zone and it is not passed, that entire plan is wasted.

Melder did a ballpark guess and stated around 13 homes at an R-1 zone.

Brady Hawes stated that the neighboring property owners would rather see 12-13 homes instead of 20 homes and duplexes.

Mario Gomez located at 1122 N Main Street agreed with Mr. Hawes statement.

Commissioner Ward asked Melder what his plans would look like from an R-2 standpoint. Melder stated he had not evaluated that.

Chair Lyon asked the Commissioners if there were any more questions.

None were stated.

The Public hearing was declared closed.

Commissioner Sherwin motioned to approve the findings of fact and the City's Staff Report, but recommended to denial to the Milton-Freewater City Council for the Zoning Map amendment submitted by JM Land Development. No Commissioner seconded the motion.

Commissioner Ward motioned to approve the findings of fact and recommendation presented in the City Staff Report and recommend approval to the Milton-Freewater City Council for the Zoning Map Amendment submitted by JM Land Development to change the property zoning from Residential Low Density to Residential High Density on property located at 6N3535DC Tax Lot 3301. Commissioner Norton seconded the motion. Commissioners Ward, Harris, and Norton were in favor and Commissioner Sherwin and Chair Lyon were in opposition. The motion carried 3-2.

Planning Assistant Cassidy Ruiz presented the Administrative Actions of the Planning Department.

Planning Assistant Kassidy Ruiz stated that she will be on maternity leave starting the following week and this would be her last Planning Commission meeting until September.

The meeting was adjourned at 8:20 p.m.