

**MINUTES FROM
A MEETING OF THE HINES PLANNING COMMISSION
January 4, 2022**

Present:

Commission Members:

Terri Hellbusch, Nikki Morgan, Matthew Shepherd, Brian Bowman, Mason Watson and Jordon Bennett. Tammie Choate via Teams

City Staff:

Paula Vollmer, Planning Commission Secretary and Kirby Letham, City Administrator

Public Audience:

Kim Valentine, Doug Deveraux, Marcy Hooker, Brandon Hooker, Son Burns, Rick Knox, JJ Martinez, Kimberly Martinez, Misty Shepherd, Jennie Lee, Barbara Wassom, Roger McLean, Jane McLean, Rob Littleton, and Barton Mitchell.

President Hellbusch called the meeting to order at 5:30 PM.

President Hellbusch led the Pledge salute.

Swearing in of Jordon Bennett as Planning Commission member by City Administrator Letham.

Approval of January 4, 2022 Agenda:

Commissioner Morgan motioned to approve the January 4, 2022 agenda. Commissioner Shepherd seconded the motion. All ayes, the motion carried.

Approval of December 7, 2021 Minutes:

Commissioner Shepherd made a motion to approve the minutes from the December 7, 2021 meetings. Commissioner Watson seconded the motion. All ayes, the motion carried.

Old Business:

None

Meeting adjourned and Public Hearing opened at 5:36pm.

A. Public Hearing – West Ridge Variance Request

Secretary Vollmer advised the Commission that Rob Littleton, JANDK, LLC and Vesta Holdings have requested a variance to allow the construction of duplexes on four (4) lots located on West Ridge, addresses known as 534 West Ridge, 540 West Ridge, 546 West Ridge and 552 West Ridge. The area is zoned multi-family residential however, the lots do not meet the minimum size for duplexes set by the Zoning Ordinance. This hearing presents the opportunity for the Public to present any questions, comments and opinions regarding the request for the variance.

Staff Report – Commission Secretary Vollmer read the Staff Report into the record.

Testimony of Applicant – Rob Littleton – Mr. Littleton is speaking on behalf of he and his partners that own the lots on West Ridge. Mr. Littleton explained that he has been a property owner in Burns for the last 15 – 18 years. He stated that he and his partners are not building these just for the financial aspect, but that he has attended CRT meetings and spoken with Jennifer Hoke at Harney District Hospital about the need for housing. He understands that the apartments have left a bad taste in people's mouths. Their goal is to build the duplexes that will fit in with the neighborhood and make additional housing available.

Testimony in Favor – None

Testimony in Opposition

Kim Valentine – She lives in the neighborhood. She said that the neighbors have issues with the duplexes as what Mr. Littleton presented is similar to what was presented and promised for the West Ridge apartments. She said the traffic and speeding has been crazy and is a safety concern due to the number of people that walk in the neighborhood. She said adding the duplexes could quadruple the number of vehicles in the area, and that the roads are already congested without adding more. She has also had people cut through her property, and views that as a safety concern. She is concerned that the duplexes would have the same criminal issues that has been brought about by the apartments and wants to know what would happen to her land values.

Roger McLean – He concurred with Ms. Valentine. He is concerned about the land values. He added that it could add to the drug problems in the area. He is concerned about criminal activity with adding duplexes.

Barbara Wassom – She stated, “we were sold a bill of goods with the apartments.” She is one of the neighbors that walks the neighborhood daily. She agrees with Ms. Valentine about the traffic congestion and is concerned about the speeding cars. She said she does not believe there should be eight (8) more families in an area there should only be four (4).

Marcy Hooker – She agrees with the previous speakers. She said she sees drug deals going down every day at the apartments. She said she has rentals that she has managed and that even though some of the renters she has had work up at the hospital, they have trashed her property. She said that between the West Ridge apartments and adding the duplexes she believes the property values will drop.

Misty Shepherd – She has seen the activity at the apartments and seen the traffic congestion. She thinks such small units will not attract the types of tenants the community would like to see, such as families. She said that the neighborhood would rather have people move in that are in for long term housing, not short term.

Neutral Testimony and Questions – Administrator Letham wanted to clarify some points for the record. He said that he thinks some of the neighbors are under the assumption that the area is zoned Single-Family Residential. It is not. It is zoned Multi-Family Residential and has been so as

early as 2006 if not before. He also wanted to clarify a point regarding the apartments. The apartments were built using Federal and State funding.

JJ Martinez – Mr. Martinez asked what Federal funding has to do with the apartments. He asked what obligation the City has with the apartments being built using Federal funds. **Administrator Letham** explained the City does not have an obligation in the instance of someone who builds using Federal funds. However, if a project is built using private funding, the Planning Commission could make an HOA a condition for approval. With such requirements as a property must be maintained up to a certain standard, or only people fifty-five and older could live there. When Federal funds are used, you cannot put such restrictions in place, and anyone may live there. When Feathered Nest, LLC (under the umbrella of the Senior Center) decided to build, they chose to go after Federal funding to complete the project. At the time they came to the City to get approval to build the apartments they told the City that they wanted to build senior and workforce housing. Using Federal funding they are required to follow federal guidelines to select renters.

JJ Martinez – Mr. Martinez said that he agrees with those that have already spoken. He believes the close quarters of the duplexes are an issue. He is asking the City to withhold the variance.

Doug Deveraux – He agrees with those that have spoken before and wants the Commission to deny the variance.

Applicant's Rebuttal – Rob Littleton – He appreciates the concerns brought forth by those in the neighborhood. He believes that there is nothing that he could say this evening that is going to change the minds of those who have spoken. He will not be able to undo anything that has gone on with the apartments. He believes that what they are proposing has the potential to be a good thing within the City.

Rebuttal Testimony - Doug Deveraux – Mr. Deveraux stated that he believes that if someone is sincere about this project, that they should be here in person. He believes that it has to do with credibility.

Barbara Wassom – She stated that for the sizes of the planned duplexes, she does not think these will be long-term rentals. Couples and families will not live in such small units.

Misty Shepherd – Wanted to know if the alley between the lots on West Ridge and those on King would have sidewalks installed. **Mr. Littleton** answered that the alley is not designed for sidewalks. **Misty Shepherd** – she questioned whether there is an ordinance that requires sidewalks for pedestrian travel. **Administrator Letham** stated that he would have to research to see if there is such an ordinance.

Son Burns – He said that as a child his family lived in apartments, and he did so as a young adult. When he and his wife decided to start a family they chose to buy a single-family home. He said he would rather the variance get denied and that single-family homes are put on the lots.

Kim Valentine – She asked about fire protection or other emergency vehicles. **Administrator Letham** said that the 20' access in the alley is in line with other access points within the City. There is sufficient fire flow to accommodate the duplexes.

Call for Petitions and Letters – Multiple letters were received by City Hall. Those letters that were received where the writer is present were not read into the record. A letter was received from Scott and Terri Hansen. That letter was read into the record. A petition was received from Douglas Deveraux with multiple signatures.

Consider Hearing Continuance – **Commissioner Morgan** stated that she believes that the meeting needs to be continued to allow additional time for research. She knows there is bias due to the West Ridge apartments. Believes that they need additional time to research the alley. **Commission Chair Hellbusch** agreed that they need to take more time for research. She agreed that the West Ridge Apartments have left a negative feeling to multi-family building in the area. **Commissioner Morgan** reminded the Commission that the final decision will rest with the City Council. Believes due diligence needs to be done before any recommendation is presented to the City Council. **Rob Littleton** – He asked that if they chose to change to single-family homes would they be able to use the alley for garage access the same way the houses on King do? **Administrator Letham** clarified that the access between West Ridge and King is an easement. It is not City owned, nor maintained. Each property owner is responsible to maintain their piece of the easement. The easement was to allow the residents from King and West Ridge to access garage and driveways from the easement. **Commissioner Bowman** asked Mr. Littleton why they chose duplexes and not single-family homes? **Rob Littleton** – From a business standpoint it is more economical if they build duplexes than single-family homes. It would be good investment properties for he and his partners. They would maintain ownership and hire a property manager. **Barbara Wassom** – Does not know how duplexes would be more economical to build than single-family houses. **Son Burns** – Still opposes duplexes but supports single-family homes. **Commissioner Bennett** – Asked if the square footage of the lots is too small for multi-family units, why is it zoned multi-family? **Administrator Letham** answered that it is a discrepancy found within the zoning ordinance. **Kim Valentine** – Would the residents be allowed to park on West Ridge? **Administrator Letham** replied that according to the plans submitted each unit has two (2) parking spots, the garage and driveway. **Doug Deveraux** – asked what is the plan for Hines? When asked if he wanted an answer, he said no, that he wants the City to think about it. He said that he would like to speak to Mr. Littleton in person, but he does not think Mr. Littleton would come to Hines.

Commissioner Morgan made a motion to continue the hearing. Commissioner Watson seconded the motion. All ayes, the motion carried.

Commissioner Morgan made a motion to hold the continuance January 13, 2022 at 5:30pm. Commissioner Bowman seconded the motion. All ayes, motion carried.

Commissioner Shepherd made a motion to close the hearing at 6:55pm. Commissioner Bennett seconded the motion. All ayes, motion carried.

B. Commission Deliberation and Recommendation to Council

Councilor Watson – He wanted to point out that the duplexes or single-family residences do meet the setback requirements of the Zoning Ordinance. Given the plans submitted the buildings are similar in footprint to the single-family homes on King. **Commissioner Bennett** – He said earlier in the meeting it was mentioned that the City could get creative on requirements to allow the duplexes. What is meant by that? **Administrator Letham** received an email from the City attorney. The reply mentioned actions taken by other cities. Possible solutions could be a requirement on income threshold or requiring an HOA with rules for the property. **Commissioner Watson** – He mentioned that if Mr. Littleton and his partners wanted to, they could partition each lot to meet the Cottage Development requirements and they would still have eight (8) units. They could combine two (2) lots and put a tri-plex on each lot, and it would meet outright approval according to City requirements. **Commissioner Morgan** - if Mr. Littleton and his partners had approached the City prior to the West Ridge apartments, she does not think there would be any issues. However, the apartments have colored the opinions of the neighbors.

Public Comment (For non-agenda items):

Kim Valentine – If the City is going to require something like an HOA, how is it enforced?

Barton Mitchell – Vesta Holdings – They researched the area prior to purchasing the lots. They noticed a need for housing for professionals and would like to answer that need.

Marcy Hooker – With an HOA, what if the partners sell the property? Administrator Letham explained that the HOA continues as the HOA is recorded with the property deed.

The next scheduled meeting is scheduled for Thursday, January 13, 2022 at 5:30pm.

Adjournment:

There being no further business Commissioner Morgan made a motion to adjourn the meeting. Commissioner Shepherd seconded the motion. All ayes the motion carried. The meeting was adjourned at 7:10pm.

Approved:

Date: February 1, 2022


