

**MINUTES FROM
A SPECIAL MEETING OF THE HINES PLANNING COMMISSION
January 13, 2022**

Present:

Commission Members:

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

City Staff:

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

Public Audience:

Bart Mitchell, Marsallai Quick, Kim Valentine, Rick Knox, Jennie Lee, Patrice Deveraux, Doug Deveraux, Misty Shepherd, Barbara Wassom, Son Burns, Pamela Olsen, Lori Ott, Terry Ott, Jeff McLean, JJ Martinez, Kim Martinez, Brandon Hooker, Marcy Hooker, Roger McLean, Jane McLean.

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

President Hellbusch led the Pledge salute.

Approval of January 13, 2022 Agenda:

Commissioner Morgan motioned to approve the January 13, 2022 agenda. Commissioner Shepherd seconded the motion. All ayes, the motion carried.

Old Business:

Continuance of the Littleton/JANDK, LLC/Vesta Holdings Variance opened at 5:32pm

Administrator Letham read the notice of procedure. Reminding the audience that if they speak, they need to be recognized by the Chair. They need to provide their names for the record. If they agree with someone that has spoken before, they need to state they agree with the person before, rather than repeat what has been already said for the record.

- **Summary of Variance Criterion** – Administrator Letham read the criteria that the Planning Commission must use to determine whether to grant the variance.
- **Review of Questions from the January 4, 2022 Hearing** – There were 5 questions that came up during the January 4th meeting. Secretary Vollmer read the questions and answers into the record.
- **Additional Testimony of Applicant (10 minutes) – Bart Mitchell (Vesta Holdings)** Mr. Mitchell began by apologizing for not attending the January 4th meeting. Mr. Mitchell said that when he and his partners purchased their lots, they knew they were zoned for multi-family units. They didn't think it would be an issue for them to build the units proposed. He went on to say that they want to be good neighbors and intend to maintain ownership of

the units for many years. They understand about the concern over traffic. They believe that if they shifted their focus to single-family homes, the influx of vehicles would be very similar to the multi-family units. He agrees that the apartments across the street stand out in the neighborhood. When designing the duplexes, they felt they would be a buffer creating a more fluid transition between the types of housing in the neighborhood. Learning of the housing shortage in the area, he and his partners felt the duplexes would fill a need for housing targeted towards single professionals and young couples, as this is the most significant gap in the housing market.

- **Testimony in Favor (2 minutes) – None**

- **Testimony in Opposition (2 minutes) -**

- **Kim Valentine** – As a resident of the neighborhood, she and the neighbors want to have single-family homes where families will move into the neighborhood. Family oriented.
- **Jeff McLean** – He addressed Mr. Mitchell. He said he understands what the partnership is trying to do. He said that he lived in Central Oregon for seven years and watched it diminish by bringing in duplexes and multi-family homes. And, getting away from cul-du-sac neighborhoods. He is concerned that bringing in the duplexes will change the area to what Central Oregon has become. Concerned that they will turn in to low-income housing.
- **Doug Deveraux** – Whole heartedly agrees with Mr. McLean.
- **Barbara Wassom** – She stated that the audience members all prefer single-family dwellings. They believe that is what is needed and would look best and would be safest for the community. However, if there is going to be multi-family dwellings, they would request there be very strict CC&Rs. There needs to be some kind of restrictions in multi-family units to prevent the area from becoming rundown.
- **Roger McLean** – He agrees with Ms. Wassom that there would need to be some kind of regulations. He says he has never seen where such restrictions have ever held up long term.
- **Misty Shepherd** – Where will the overflow parking be? If someone has guests, where will they park?
- **Rick Knox** – He is concerned about flooding in the neighborhood. What about snow removal and spring thaw?
- **Patrice Deveraux** – She thinks the City needs to think outside the box. Instead of cramming homes together, the City should look at spacing homes out.

- **Neutral Testimony and Questions (2 minutes)**

- **Brad Erbe** – He was not in Hines at the time the West Ridge Apartments and Juniper Cottages were approved. He said from everything he has seen the duplexes seem very similar to the cottages. He said that if the developers chose to put in single family homes, he believes that they would introduce the same number of cars and the same amount of traffic as the duplexes would.
- **Administrator Letham** – He addressed the neighbors and agreed that flooding has been an issue in that area. He has been working with DLCD to see if the City can get some grants to pay for studies to figure out what needs to be done to fix the issue.
- **Jennie Lee** – Agrees the flooding is an issue in the area and has been for years.

- **Applicant's Rebuttal (3 minutes) – Bart Mitchell (Vesta Holdings)** Mr. Mitchell stated that he has heard the neighbors and appreciates their concerns. When it comes to crime and safety, he totally understands. He reiterated that they want to build duplexes that look and feel like single family homes. They are trying to meet the needs of the traveling employees that come in on rotation, employees from the hospital, federal employees. He and his partners would be happy to consider CC&Rs. They are looking at providing high quality rentals. He says he believes that parking would be an issue whether there are duplexes or single-family homes.
- **Rebuttal Testimony**
 - **Barbara Wassom** – The duplexes are not big enough for a family. Does not believe the neighborhood should provide housing for traveling employees.
 - **Marcy Hooker** – No matter what gets built, traffic is a concern for Duke Court.

Commission Chair Hellbusch closed the hearing at 6:00pm.

- **Commission Deliberation and Recommendation to Council**
 - **Commissioner Morgan** – She pointed out that whether 864 sf is big enough for a family doesn't matter. People are moving into tiny homes which are from 100 – 500 sf. If you aren't going to live there, it doesn't matter. She sees nothing that says no on this. If the Planning Commission does approve it, then there needs to be restrictions, such as no HUD Housing, no Section 8 vouchers. She stated that she assumed that the rent that would be charged would be above the HUD level. And she said require CC&Rs. They could require management be onsite maybe once a week so there would be no garbage laying around.
 - **Commissioner Bennett** – Asked if a rental price had been set yet. **Mr. Mitchell** said no.
 - **Commissioner Bowman** – Asked if the developers would consider cottages? **Mr. Mitchell** said they had not come up with a contingency plan if they should get denied.
 - **Commissioner Morgan** – Traveling employees need housing. Sometimes the hospital was able to find shared housing for traveling hospital staff. But that means shared bathrooms, kitchens, etc. We do not have the workforce for some of our businesses. We have had some traveling staff from the hospital that have brought their families and moved here.
 - **Commissioner Bennett** – He has heard that with some of the traveling staff they either love the area and stay, or they can't wait to leave. This is for young professionals looking for affordable housing. Reasonable, affordable housing is lacking.
 - **Commissioner Bowman** – Asked if the developers could eliminate one duplex and make the other three bigger duplexes? **Mr. Mitchell** said that with the setbacks the duplexes are at the largest size for lot size. The lots would need to be reapportioned and change the lot size. **Commissioner Bowman** asked Administrator Letham for feedback. **Administrator Letham** said there are things the developers could do if they wanted. There are options. At this time, the

decision needs to be addressed: Does the Planning Commission approve the variance request? Does the Planning Commission deny the variance request?

- **Planning Chair Hellbusch** – She was a member of the Planning Commission when the apartments were approved. What the Commission was told was not what happened. She acknowledged that West Ridge Apartments are an issue and advised the neighbors that if they see any illegal activity at the apartments, to call the police and then call Feathered Nest, LLC as they need to know how unhappy the neighbors are. We need more housing however no one wants it built in their neighborhood.
- **Commissioner Bennett** – Asked if the Commission could set a rental minimum. **Administrator Letham** said he thought not. However, he said that the Commission could approve the recommendation to the City Council with conditions. That would then give him the task of going to the City attorney to find out what conditions could be set. And that could be the final approval with the City Council at their next meeting.
- **Commissioner Bennett** – Asked Commissioner Morgan if she knows how much traveling hospital staff get paid. She responded that they get per diem and their housing is paid.
- **Commissioner Bowman** – Acknowledged Commissioner Morgan's comment about the City needing housing. He said however, he lives in that neighborhood. He said he sees the traffic and the speeding.
- **Administrator Letham** – Advised that it is up to the President and the Commission if they want to take more questions or move forward with the deliberation.
- **Commissioner Shepherd** – He stated that he thinks the multi-family designation was only put in place for the cottages.
- **Commissioner Choate** – Stated that she agrees with Commissioner Shepherd's comment.
- *Commissioner Morgan made a motion to recommend to approve the variance with conditions. And to forward to the City Council to determine what the conditions should be. Commissioner Bennett seconded the motion. Ayes – Hellbusch, Morgan and Bennett. Nays – Shepherd, Choate and Bowman. Tie vote. * The motion did not pass. Recommendation from the Planning Commission will not move forward.*

****It needs to be noted here that at the time of the vote we did not know what a tie vote meant. After research it was found that a tie vote is the same as a "no" vote. This understanding will carry on to future meetings.***

New Business

None

Public Comment (Time limits may apply)

- **Kim Valentine** – She said in listening to the Commission it sounds like the City Attorney needs to be consulted prior to the Council meeting. Administrator Letham said he will reach out to the attorney to find out if a tie with the Commission stops the process, moves the variance

request to the City Council due to the tie, or goes to the City Council if the developers choose to appeal. At the same time, he will find out what types of conditions can be levied by the City.

- **JJ Martinez** – Asked Mr. Mitchell if they have planned to furnish the apartments. Mr. Mitchell said they are considering due to the residents they are targeting.
- **Pam Olsen** - She told Mr. Mitchell that in her experience traveling hospital staff are paid well. Housing, rental cars, etc. are normally paid for by the employer.
- **Terry McLean** – The developers own other property in Hines. They own a lot next to Mr. and Mrs. McLean. She has talked to Mr. Littleton, and he told her they are looking at building a duplex on that lot.
- **Barbara Wassom** – Wants to make sure the City does not want HUD housing.
- **Jeff McLean** – He thinks that they could do single-family homes as well as shared rental housing. **Bart Mitchell** responded that the reason they came up with the plans they did is that the people they are looking to rent to are professionals. They do not want roommates.
- **JJ Martinez** – The developers are in to make money. If they aren't rented to professionals, the fear is that they will be rented to just anybody.
- **Misty Shepherd** – She said in listening to this, it sounds like certain neighborhoods will be for teachers, other neighborhoods for the hospital, etc.
- **Terry Farvstedt** – She lives across from the McLeans. She is concerned about the duplex issue. Before being built doesn't the City need to look at the traffic issue. The floodplain issues. She feels there are plenty of professionals in the area that would like a home, not a duplex.
- **Patrice Deveraux** – She said she was a traveling nurse and most of them have trailers. They'd be somewhere for a couple of weeks and move on. Concerned about where will people park? Their backyard will but up against the duplex behind them. Who will maintain the easement?
- **Brad Erbe** – He understands that the developers are hoping to rent to professionals from the hospital, the Refuge, BLM, etc. He said if the plans are not approved, what is to stop the developer from consolidating the lots and building an 11-unit apartment complex? He said he understands the neighbors don't want duplexes, but asked, could it be worse?
- **Kim Martinez** – Asked how long they have owned the lots. Mr. Mitchell said 4 months.

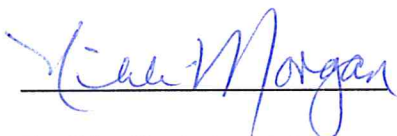
The next meeting is scheduled for Tuesday, February 1, 2022 at 5:30pm.

Adjournment:

There being no further business Commissioner Morgan made a motion to adjourn the meeting. Commissioner Bowman seconded the motion. All ayes the motion carried. The meeting was adjourned at 6:42pm.

Approved:

Date: February 1, 2022



City of Hines Planning Commission



January 13, 2022